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PUBLIC EDUCATION IN RHODE ISLAND

BY

CHARLES CARROLL, LL. B., Ph. D.

INSTRUCTOR IN RHODE ISLAND EDUCATION

RHODE ISLAND NORMAL SCHOOL



PROVIDENCE, R. I.

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PUBLIC EDUCATION IN RHODE ISLAND

By CHARLES CARROLL

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TRUSTEES OF RHODE ISLAND NORMAL SCHOOL

CONSISTING OF

THE STATE BOARD OF EDUCATION

AND THE

COMMISSIONER OF PUBLIC SCHOOLS

PUBLIC EDUCATION IN RHODE ISLAND

THIS STUDY OF THE EVOLUTION AND DEVELOPMENT OF A SOCIAL CON-
SCIOUSNESS OF PUBLIC RESPONSIBILITY FOR EDUCATION IN A
REPUBLIC IN WHICH INDIVIDUALISM WAS THE GUIDING
PRINCIPLE OF THOSE WHO FOUNDED IT AND
THOSE WHO SOUGHT ITS HOSPITALITY

IS DEDICATED TO

THE STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

INTRODUCTION.

The need of a new history of education in Rhode Island is apparent in view of the fact that the latest historical account of the State's educational enterprise was published forty-two years ago. The development of the principle of universal education and the growth of the public school system during these years have been notable in Rhode Island, and the fruitful educational experience and civic progress of this period make the preparation of this history an important public service.

A knowledge of Rhode Island public education, including its history, law and administration, is valuable to every citizen as civic information, but it is indispensable to every teacher and superintendent as professional intelligence and inspiration. Four years ago, Dr. Carroll gave us his work on school law and administration in Rhode Island, and now we are indebted to him for his generous service in the painstaking and laborious preparation of the history of education in Rhode Island. These two books complete an invaluable exposition of Rhode Island Education, in which are revealed the meaning of public education and the true function of our public school organization.

In his thorough study of school education before 1876, for the period for which others wrote, Dr. Carroll collected new material evidently not considered by them, and discovered discrediting misconceptions and misstatements, which unfortunately have been carelessly accepted and reproduced by later writers. A study of the new material and other historical evidence has led

him to a radically different interpretation of material and to widely different conclusions regarding early educational conditions in Rhode Island. The book is an attempt to do real justice to Rhode Island's progress in education.

While the book is a new and authentic history of early education in Rhode Island, it is the only comprehensive and critical account of the State educational experience and progress for the past forty-two years. In that period the number of children in public schools has risen from 39,000 to 90,000, and annual expenditures for public education have increased from \$709,000 to \$4,136,000. The growth of the Rhode Island public school system has been attended by an increase in public responsibility, an extension of public education to larger numbers and in subjects taught, progressive legislation, and improvement in school instruction and administration. Dr. Carroll has given us a comprehensive survey of this period of accumulative educational gains, in which appear such significant marks of advance as free textbooks and supplies, mandatory maintenance for free public schools, compulsory attendance, state certification of teachers, abolition of school districts, extension of supervision, required provision for high school education, development of opportunities at public expense for higher education extending the public school system from the kindergarten to the college, extension of the public school system by provision of institutions or opportunities for education for those not equipped with normal sensory capacity, establishment and maintenance of uniform high standards for all schools; improvement of teaching and the economic and professional status of teachers, including the development of the greater Rhode Island Normal School and other opportunities for the training of teachers, the minimum teacher's salary and the teacher's pension; provisions for the safety and health of children, including medical and dental inspection, compulsory physical training, examination of children for employment, and the establishment of sanitary stand-

ards for school construction; and an unprecedented development of the service of free public libraries, since 1875 a special care of the State Board of Education.

Another valuable feature of the work is that it is written with a true conception of public education as a civic interest and public enterprise directed by the people's government to insure the proper instruction and training of all the public's children for a common citizenship. The public school system is recognized as an organization of free government, and public education as for public protection and welfare. Thus interpreted, Rhode Island education, in its origin, development, organization and administration, has a character peculiar to itself, and also appears as a genuine and true type of American public education.

Grateful appreciation is due Dr. Carroll, not only for his service as author of a valuable work, but also for his generosity in preferring a free distribution of it to personal gain. His book is published for the sake of those engaged in the public service of education, with the confident hope that it will help us to know better the meaning of public education, to see more clearly the ideals of Rhode Island education, to find in its account of past educational experience the basis and incentive for continued progress, and to recognize the increasing civic obligations of the school.

WALTER E. RANGER,
Commissioner of Public Schools.

PREFACE.

The splendid progress that public education has achieved in Rhode Island in the past forty years would warrant publication of at least a volume supplementary to Commissioner Stockwell's "History of Public Education in Rhode Island." The writer has had access to sources of information and to records which either were not available or were overlooked in 1876, and these have led him to reach conclusions that contradict the interpretation of Rhode Island educational history presented in earlier books.

The writer's thanks are due to the State Board of Education and to the Trustees of Rhode Island Normal School, who have made the publication of this book possible ; and more particularly to Honorable Walter E. Ranger, Commissioner of Public Schools, for a kindly interest and a lively encouragement. Intimate association with Commissioner Ranger in the past three years has given the writer a liberal education in democracy as well as in public education.

CHARLES CARROLL.

RHODE ISLAND NORMAL SCHOOL, 1918.

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CHAPTER I.

RHODE ISLAND COLONIAL SCHOOLS.

The first permanent white settlement within the borders of what is now the state of Rhode Island and Providence Plantations was made in June, 1636, by Roger Williams and five companions. Williams had left Massachusetts to avoid the consequences of interference by the rulers of that Puritan theocracy with his liberty of conscience. Land was bought from the Indians, and a compact, signed later in 1636 by Roger Williams and twelve settlers, established Providence Plantations.

The following year a second band of exiles from Massachusetts settled at the northerly end of Aquidneck, since called Rhode Island. They were joined in 1638 by Anne Hutchinson, who had been their leader in Massachusetts. The island was purchased from the Indians and the town subsequently named Portsmouth was thus established.

In 1639 religious dissension in Portsmouth prompted a party of the inhabitants to seek the southern end of the island and start a plantation at Newport. One year later Portsmouth and Newport joined in forming a government, with William Codrington as the first Governor. The towns were still distinct.

Samuel Gorton, in October, 1642, purchased land from the Indians, and in November settled with others at Shawomet, later called Warwick.

The four settlements drew to them a large contingent of dissenters and adventurers. A union under a charter procured by Roger Williams in 1643 for the "Incorporation of Providence

Plantations in the Narragansett Bay in New England," was short-lived, a feud between Portsmouth and Newport on one side and Providence and Warwick on the other breaking out. Not until 1654 were the differences dissipated through the diplomacy of Roger Williams, who was in that year elected President of the reunited confederacy.

THE CHARTER.

King Charles II. of England granted Rhode Island a colonial charter July 8, 1663, under which a permanent government was organized. The charter recited that the King had been informed that the settlers, "pursuing with peaceable and loyal minds their sober, serious and religious intentions of godly edifying themselves and one another in the holy Christian faith and worship, as they were persuaded, together with the gaining over and conversion of the poor, ignorant Indian natives in those parts of America to the sincere profession and obedience of the same faith and worship," had left their homes in England; and that since their arrival in America, "for the avoiding of discord and those evils which were likely to ensue upon some of those our subjects not being able to bear, in those remote parts, their different apprehensions in religious discernments," had once again left "their desirable stations and habitations" and transplanted themselves "into the midst of the Indian natives ;" and that "they have freely declared that it is much in their hearts (if they may be permitted)

TO HOLD FORTH A LIVELY EXPERIMENT THAT A
MOST FLOURISHING CIVIL STATE MAY STAND
AND BEST BE MAINTAINED WITH A FULL
LIBERTY IN RELIGIOUS CONCERNMENTS*

and that the King granted, ordained and declared that "no person within said colony, at any time hereafter, shall be any wise

*Inscription on State House.

molested, punished, disquieted or called in question for any difference in opinion in matters of religion."

The charter incorporated the "Governor and Company of the English Colony of Rhode Island and Providence Plantations in New England in America," and set forth a plan for the organization of a government. The colony was described as including "all that part of our dominions in New England, in America, containing the Nahantic and Nanhygansett, alias Narragansett bay, and countries and parts adjacent." The boundaries named included approximately the present area of the state, with the addition of Fall River and with the exception of East Providence and a part of Pawtucket. But if the rival claims of Plymouth on the east and Connecticut on the west had prevailed, Rhode Island would consist of only a line drawn through the channel of Narragansett bay and the Providence and Seekonk rivers. As it was, Rhode Island authority was established east of Narragansett bay and the Providence, Seekonk and Blackstone rivers only in 1747, when a royal decree confirmed Rhode Island's claim to Cumberland, Bristol, Warren, Tiverton and Little Compton. The border dispute with Connecticut was also of long standing.

Besides the conflict with neighboring colonies arising from boundary disputes, besides the disastrous effects of Indian wars in which Rhode Island, though having no quarrel with the natives, was a battlefield and a sufferer from Indian depredations, there was turmoil and jealousy and dissension within the colony sufficient to entitle Rhode Island to well-earned credit for having fulfilled the mission imposed upon the colony by the charter—"to hold forth a *lively* experiment, that a most flourishing civil state may stand."

ALLEGED BACKWARDNESS IN EDUCATION.

To religious dissension, to the absence of an established church, to Baptist and Quaker distrust of schools as institu-

tions closely allied with established churches and foes of liberty of conscience, to disgust for schools because Massachusetts and Connecticut maintained schools, to hatred of institutions cherished in the theocracies from which many of the Rhode Island settlers had withdrawn, to separatism and extreme individualism, to anti-social characteristics, to negro slavery, to civil strife within and conflict with neighboring colonies, to Indian wars, to sparse and scattered settlements—to all of these and some other causes has been laid an alleged backwardness in providing schools in Rhode Island. In this opinion most writers have followed the dicta of Judge Staples and Commissioner of Public Schools Elisha R. Potter, who have given the prevailing tone to the works of Stone, Higginson, Stockwell, Foster, Kimball and Field. Henry C. Dorr and Richman, with more reason, emphasize the obstacle to educational and other progress arising from the selfish interest of the proprietors of Providence, who formed a party within the freemen sufficiently large and influential to dominate the latter. Small belittled Rhode Island's interest in education on the first page of his "Early New England Schools," and in subsequent chapters unconsciously demonstrated the patent error in his statement. Arnold and Rider stand almost alone in contradicting the prevailing heresy.

It is positively certain that schools were the least oppressive institutions in Massachusetts and Plymouth from which the early settlers of Rhode Island departed. The Massachusetts law entrusting to selectmen the duty of seeing that children were taught to read and understand the principles of religion and the capital laws was not enacted until 1642, and the School Ordinance of 1647 followed the departure of Roger Williams by a dozen years. The Plymouth Colony made no provision for schools until 1663. Newport was probably the first town in all English America to *establish* a public school. The rival claims of Massachusetts towns are for school support rather than the actual establishment of public schools.

ITS REFUTATION.

A complete refutation of the fallacy that early settlers in Rhode Island were hostile to schools is found in the records of the four original towns united into a civil state by the charter. This is the record:

Newport, settled in 1639, called Robert Lenthal one year later, in August, 1640, to conduct a school, and at the same time granted to him four acres of land for a houselot, 100 acres for the school, and the income of another 100 acres "for a school for the encouragement of the poorer sort to train up their youth in learning."

Warwick, as early as 1652, that is ten years after the settlement, had a building used as a schoolhouse and as a hall for meetings.

Providence, in 1663, set aside 106 acres of land for a school.

For Portsmouth, the fourth town, there is no record earlier than July 30, 1716, when it was ordered that a "*new* schoolhouse" be built upon one acre of land belonging to the town situated in the north part of the town. A fair implication from the words "*new* schoolhouse" is that there was or had been a schoolhouse in Portsmouth earlier than 1716, but there is no positive proof, and beyond the implication from the record, no indication of the time when Portsmouth built its first schoolhouse or kept a school.

EARLY RECORDS INCOMPLETE AND FRAGMENTARY.

It is not possible to construct from the early records of Rhode Island towns which have been preserved a complete and consistent history of schools. The difficulty arises partly from incomplete and fragmentary records, partly from broken series, partly from destruction or loss of records, partly from the practice of entrusting duties to committees whose reports were

by word of mouth or if in writing have not been preserved, and partly from the fact that education was not in most Rhode Island towns a municipal undertaking. Indeed, it is probable that, in some instances at an early date, the incorporation of towns served public expediency or political convenience rather than community interest and a municipal need. There were in 1708 three towns with less than 50 families—East Greenwich including West Greenwich, with 240 inhabitants; Jamestown, with 206, and New Shoreham, with 208—which, if in Massachusetts, would not be, under the Ordinance of 1647, obliged to maintain schools.

Of dame schools, of more pretentious schools kept in private houses or commodious barns, of home schools maintained for their children by the wealthy planters of the Narragansett country, of the schoolmaster who taught John Brown to cypher in Providence between 1749 and 1752, of village schools supported by public subscription and by tuition charges, of schoolhouses erected by subscription of proprietors on land leased or let at will, perhaps put up by the common, joint labor of the proprietors, there are no public records. Only when a town set aside land for school purposes, or built or repaired a schoolhouse, or leased a town schoolhouse, or engaged a teacher, or let the town schoolhouse to a teacher, or supplemented the teacher's earnings by a salary grant, was the matter recorded, and the phraseology of some entries indicates that other items of school business had been omitted. Following is a record from 1663 to the Revolutionary War, as it has been discovered:

EARLY TOWN RECORDS.

Providence.—Population, 1446 in 1708, 3916 in 1730, 3452 in 1748, 3159 in 1755, 4321 in 1774, and 4355 in 1776. From the original town were set off Glocester and Smithfield in 1730, Cranston in 1754, Johnston in 1759, and North Providence in 1765.

In 1683 John Whipple complained that the order previously passed, to set aside school lands,* had not been complied with. There was at least one schoolmaster in Providence at that period, for in 1684 William Turpin, who described himself as the town schoolmaster, asked that the school lands be set out to him. Of William Turpin Judge Staples wrote that his interest in education was a stepping-stone to honor, if not to fortune; that he represented Providence in the General Assembly in 1722-23, was Town Clerk in 1727, and died in office while Town Treasurer in 1744. But William Turpin, schoolmaster, died in 1709, leaving a son named William, whose record of public service Judge Staples ascribed to his father. The similarity of names no doubt misled the Annalist.

John Dexter, William Hopkins, Epenetus Olney, William Turpin, Joseph Whipple, John Smith, Philip Tillinghast and Joseph Smith, in 1695-6, asked for "a small spot of land to erect a schoolhouse upon in some place in the town about the highway called Dexter lane or about the Stampers Hill." "A spot of land 40 feet square" was granted "where it may be most convenient." Dexter lane is now Olney street, and the name of Stampers Hill is still preserved by Stampers street, a narrow thoroughfare almost at the crest of Constitution Hill, as North Main street crosses Olney street. The grant was to be null and void if no schoolhouse was built within a considerable time. Henry C. Dorr says the enterprise failed because the proprietors neglected to grant, along with the land, timber, of which the petitioners stood in need. There is no record of any kind to indicate that a schoolhouse was built, although Henry R. Chace located a schoolhouse site on Olney street, between North Main and Stampers street, on his map of Providence in 1770. The report of the committee on school property in 1768 did not mention a schoolhouse in the north section of the town.

*The order of 1663 setting aside 106 acres of land for a school.

The name of a second schoolmaster appears of record in 1735, when George Taylor was given permission to keep a school in one of the chambers of the Colony House at Providence, "on condition that the glass of said house should be kept in constant good repair," and that he should "erect a handsome sundial in front of said house, both for ornament and use." Taylor was an Englishman. That he tarried in Providence appears from the town record for 1753, when George Taylor was given leave to use the town schoolhouse, on condition that he "school or teach one poor child" recommended by the town schoolhouse committee, "gratis, or for nothing." From the reminiscences of Samuel Thurber we learn that Taylor's school was kept for church scholars, and that perhaps he received some compensation from England.

In 1754 Stephen Jackson, schoolmaster, leased the town schoolhouse for £45, old tenor, which the town ordered applied for repairing the building. Here is a characteristic example of the incompleteness of old town records. When was the schoolhouse built? When was the land on which it stood set off as a school site? There is no record to fix the date of location or building. A plat of warehouse lots on Town street, made in 1747, shows a school lot west of the street, which is now called North Main street. In 1752 the town granted to the colony for a new jail "the flats in the Salt river, being the west end of the lot that was formerly granted for the use of a school whereon the town schoolhouse in said Providence standeth." This entry fixes the time of building earlier than 1752, although the first school committee is named in the record for 1752. That the school kept was not a free school appears from the nature of the agreements with George Taylor and Stephen Jackson. In 1764 the Town Clerk was authorized to lease the schoolhouse to another schoolmaster, and in 1765 the property was sold in exchange for the Colony House lot, the Colony House having been destroyed by fire in 1758.

In 1751 Gideon Comstock, Alexander Frazier, James Field, Thomas Angell, Barzillai Richmond and Nehemiah Sprague, citing an agreement between themselves and others and a subscription of money for the purpose, asked for permission to build a schoolhouse "on the vacant land at the Sowdy Hill, a little above Joseph Snow, junior's, dwelling house, there being room to set it on and leave the road—— feet wide on each side, which will oblige us the subscribers and others the inhabitants who are willing to spend their money for *leirning* and for the publick good." The request was granted, but the lot was found to be too small for the proposed schoolhouse, and the proprietors located their school upon other land, at what is now the northwest corner of Chapel and Mathewson streets, the latter formerly known as School street. This was the first schoolhouse west of the river.

There was still another schoolhouse in Providence earlier than 1768, located by Chace at the southwest corner of Power's lane and Back street, now Power and Benefit streets. It was referred to in the report of the committee which recommended public schools in 1768 as "the schoolhouse down-town," which should not be purchased by the town because it would cost too much.

Among other indications of an awakened interest in education in Providence in the middle of the 18th century was the purchase of a library in London by Stephen Hopkins and other subscribers, who obtained permission to keep the books in the Colony House, an arrangement that "would provide a real ornament to the house and afford an agreeable amusement to the members in their leisure hours." The library was destroyed by the fire which razed the Colony House in 1758, and in 1759 the subscribers were granted a lottery to raise money to replace the books, on condition that they should thereafter be accessible to the members of the General Assembly. In 1762 William Goddard printed the first Providence newspaper, the Gazette. Gregory Dexter, a companion of Roger Williams, was the first

printer in Providence. He printed Roger Williams's key to the Indian language in London; he did not set up a press in Providence. In 1764 Rhode Island College, later known as Brown University, was chartered and located temporarily at Warren. Providence, Newport, Warren and East Greenwich became rival candidates for the honor of becoming the permanent home of the college, which fell to Providence through the enterprise of inhabitants who raised about \$15,000 as an endowment.

Affecting schools more directly, Joseph Olney, Esek Hopkins, Elisha Brown and John Mawney were elected a school committee in 1752, to care for the town schoolhouse and to appoint a master. Perhaps this committee and other early school committees should be designated schoolhouse committees; their duties were stated explicitly in 1756 as being "to have the general oversight and care of the town schoolhouse, as well as for repairing the schoolhouse, appointing and consulting with the master, or doing what else may be needful about the same, *provided that the town be put to no expense thereabout.*" This record makes clear also the general attitude of the town of Providence in 1756 toward school support. There was no inclination to assume the burden of school support beyond providing a schoolhouse.

The centennial of the Charter, the year 1763, was reached with probably three schoolhouses in the town of Providence—the town schoolhouse, by that time in poor repair; the schoolhouse on the west side of the river, and, possibly, "the schoolhouse down-town." The town boasted also a newspaper and a library, and preparations were being made for the chartering of a college.

The town voted in 1767 to provide four schoolhouses and to place the schools under control of a school committee. Committees on school property and for the preparation of regulations were appointed. Both committees reported Jan. 1, 1768.

The committee on school property had examined "the schoolhouse down-town," but found that it would cost too much. While the schoolhouse on the west side of the river was found convenient, some of the proprietors refused to sell their interests to the town. The committee recommended the building of two schoolhouses, 26x18x10 feet, east of the river, one at the upper and the other at the lower end of the town, but that until after the annual town meeting no further action be taken west of the river. The committee recommended also the construction of a larger brick schoolhouse, to cost £485, on the old Colony House lot.

The committee on regulations presented an elaborate report in the form of an ordinance providing that the proceeds of the sale of the old schoolhouse property should be applied to construction of new schoolhouses; that the additional cost of the new enterprise should be assumed by the town; that £520 be raised by tax; that schoolmasters be provided at the expense of the town; that a school committee be appointed, representing all sections, with ample powers to conduct town schools, engage and dismiss schoolmasters and ushers, but with no power to repair schoolhouses (a power still denied the school committee of Providence and retained by the city council). The report continued thus:

"That every inhabitant of this town, whether they be free of the town or not, shall have and enjoy an equal right and privilege of sending their own children, and the children of others that may be under their care, for instruction and bringing up, to any or all of the said schools. And that each and every scholar, before they be admitted into any of the small schools, shall have learnt their letters and acquired some acquaintance with spelling. And before they be permitted to enter the larger school, they must have gained considerable knowledge in reading and writing, and that all those who may be thus qualified, shall and may be admitted to all the advantages of education that may be taught in either of the respective schools. And in case any dispute should arise, touching the qualifications of any child the same may be determined by the school committee.

"That not exceeding two hours in each day shall be taken up in the large school in perfecting the scholars in reading, accenting, pronouncing and properly understanding the English tongue. That the remaining school hours shall be employed in teaching the children and youth in writing, arithmetic, the various branches of mathematics and the learned languages. The whole to be taught in one or separate apartments in said house, under the direction of said committee, as the circumstances of said school, from time to time, shall require, and as will have the best tendency to increase and spread knowledge and learning.

"The children under the care of non-resident freeholders shall be admitted into said school, provided said freeholders shall pay the sum of twelve shillings, lawful money, in the school tax annually; and also those inhabitants of the town who pay twelve shillings annually to the support of the school, if they have no children or apprentices of their own, shall have liberty to send the children of any friend or relative of theirs living out of this town."*

The town meeting rejected both reports. Moses Brown, of one committee, wrote this comment upon the town's action: "1768, Laid before the town by the committee, but a number of the inhabitants (and what is most surprising and remarkable, the plan of a free school, supported by a tax, was rejected by the poorer sort of the people), being strangely led away not to see their own as well as the public interest therein (by a few objectors at first), either because they were not the projectors, or had not public spirit to execute so laudable a design, and which was first voted by the town with great freedom."

The town meeting that rejected the reports did, however, resolve to build a two-story brick schoolhouse, 30x40 feet, near the court house out of the proceeds of the sale of the old town schoolhouse, a tax of £100, and £182 17s, to be raised by public subscription, and to support a free school in the building. Public subscriptions twice failed to reach the amount designated, but in July, 1768, a list was completed and building was undertaken. The subscribers were incorporated in 1770. A

*Small, Early N. E. Schools, p 198, cites this last paragraph, omitting reference to the earlier paragraphs in the report, and to the disposition which was made of the report.

two-story structure was erected, the lower floor controlled by the town, the upper by the proprietors. The building still stands on Meeting street close to the Friends Meeting House. Both floors were occupied in 1770, the upper by Rhode Island College, and the lower by the University Grammar School, while the college, which had removed from Warren, awaited the completion of quarters in University Hall. Benjamin West, the astronomer, kept a school in the building afterward, receiving "his reward for educating from the parents of those that he shall teach."

Stephen Hopkins, Jabez Bowen and Moses Brown, the last two proprietors, were appointed a committee, in 1772, "to draw up regulations for the town schoolhouse, and to procure and agree with suitable persons to keep the same at the expense of those who sent their children and youth to said schools, and to do everything necessary toward rendering said school useful." Except that the town owned part of a new schoolhouse, little progress toward free schools had been made.

The movement that failed in town meeting in 1768 bore other fruit, however. Another company of proprietors was chartered in 1768, and in November a schoolhouse, designed for two schools, was built on upper Benefit street, on the site at the corner of Halsey street, now occupied by a brick primary school building. This schoolhouse was named Whipple Hall, for Captain Whipple, who donated the land. The school was a graded school, opening with George Taylor, Jr., in charge of the upper grade, and Sally Jackson the lower. E. M. Stone gives the following list of teachers who succeeded Taylor: John Barrows, Nathan Downe, Sumner Wood, Joseph Balch, Solomon Bradford, Abner Tucker and John Dexter.

The Revolutionary War terminated school activity in Providence. The college was closed, University Hall serving as a barracks for French soldiers. Whipple Hall became a powder magazine and meeting place for a revolutionary committee, and

the Meeting street schoolhouse became a chemical laboratory for the manufacture of explosives.

Portsmouth.—Population, 628 in 1708, 813 in 1730, 992 in 1748, 1363 in 1755, 1512 in 1774, 1374 in 1776. Besides the new schoolhouse already referred to as ordered built in July, 1716, another school was built in the south part of the town in September, 1716, on recommendation of a committee which reported that it had considered "how excellent an ornament learning is to mankind, and the great necessity there is of a public schoolhouse on the south side." The town made an appropriation and appointed a committee to build the schoolhouse and solicit contributions for finishing it. Commenting on the phraseology of the committee report and the designation of a special necessity on the south side, Arnold concludes that there was an earlier schoolhouse in some other part of the town. He had overlooked the vote of July, 1716, which proved his inference correct. Other schoolhouses were erected in Portsmouth as follows: Two in 1722, one in 1746 near Bristol Ferry, one in 1763 on Prudence Island, and one in 1733 in the southern part of the town, the last upon the petition of William Brown and others, who undertook the expense additional to £30, which the town was asked to appropriate.

Newport.—Population, 2203 in 1708, 4640 in 1738, 6508 in 1748, 6753 in 1755, 9209 in 1774, 5299 in 1776. Middletown was set off from Newport in 1743. Newport was the largest town in the colony. The early records of Newport were shipwrecked in Hell Gate while being taken to New York during the Revolutionary War. Although the books were subsequently recovered, a large part of the records were damaged irreparably.

The early records preserve the names of two successors of Robert Lenthal, each of whom had the use of the schoolhouse, and the profits of the school land. They were John Jethro and

Thomas Fox. In 1661 the school land set apart in 1640 was exchanged for other land. An additional grant of school land was made in 1697.

Little is known of the first schoolhouse in Newport beyond that it was standing in 1685 and had fallen into decay in 1700, though the timber in it was such that Ebenezer Mann asked and received permission to take some of it for use in building his new house. In 1706 the town sold land to finish the "schoolhouse in or near the market place in Newport." This probably was the schoolhouse that the town voted to build in 1704. The vote to build was subsequently rescinded, when land was granted to Samuel Cranston and others for the purpose of a schoolhouse. Had the proprietors abandoned their enterprise in 1706? A tax of £150 was laid to supplement the proceeds of the sale of lands, and the inhabitants of the north part of the town were exempted because they lived too far off to send their children to the school. The town council was ordered, in 1708, to take the schoolhouse into their hands, to manage all the prudential affairs belonging to the school, always reserving to the quarterly meeting of the town the power of choosing the schoolmaster. William Gilbert was chosen schoolmaster in 1709, receiving "the benefit of the school land, viz., the chamber and *seller* and the profits arising from the school land in this part of the town, and some conveniency for keeping of fire in the winter season." The year following William Gallaway was granted "the liberty of teaching a Latin school in the two little rooms in the schoolhouse of this town."

The first schoolmaster elected in town meeting was John Callender, June 3, 1746. In 1748 Mr. Callender died; his successor was Terrence Donally.

Another schoolhouse was ordered built in 1713, and 106 acres of land were granted in 1723 for a school in the eastern part of the town, called the Woods, now Middletown. "All the public schoolhouses in the precinct of Newport," including "par-

ticularly the great schoolhouse," were ordered repaired in 1726 and "paid out of the treasury." The order for building in the Woods in 1723 may be interpreted as providing for two schoolhouses; a vote in 1729 of £10 each for two schoolmasters in the Woods section lends color to the interpretation. Schoolmasters were appointed from time to time, and it is fair to presume that schools were kept in Newport with some approximation to regularity.

James Franklin, elder brother of Benjamin Franklin, set up the first printing press in Newport in 1727, and began publishing the Rhode Island Gazette, the first Rhode Island newspaper, in 1732. James Franklin* established the Newport Mercury in 1758. The Redwood Library was incorporated in 1747.

A sale of school land was authorized in 1763. Higginson, Stockwell and Field report the school land as divided into lots and sold or leased in 1663, the proceeds to be applied to educating poor children. The same authors report a similar division and sale of land in 1763. Field follows the narrative of Higginson and Stockwell closely. Higginson and Stockwell cite Henry Barnard's Journal of the Rhode Island Institute of Instruction as authority for a sale in 1663. Barnard does not mention the sale in 1763. If Barnard is not in error, the town of Newport in 1663 did exactly what it voted in precisely the same language to do again in 1763, just a century later. There is no existing public record of a sale of school lands in Newport in 1663. The language of the ordinance of 1763 follows: "That the monies arising from the sale of said lots and also the annual quit rents forever, shall be paid to the town treasurer for the time being, and that the same shall be 'a fund for the schooling and educating of poor children, according to the discretion of the town council, for the time being, who are hereby empowered to direct, regulate and manage the said charity in behalf of said town to the best advantage, according to the true intent and meaning

*Son of the James Franklin already mentioned.

thereof.' " The language quoted by Henry Barnard is placed within single quotation marks. One may venture to guess that the date as given by Barnard results from a typographical error, and that it was intended for 1763. And, besides, it seems altogether unlikely that land in house-lot parcels would be in demand in 1663, whereas in 1763 Newport was a thriving commercial centre and probably compactly built in some sections. Higginson, Stockwell and Field, however, report both the quotation from Barnard and the full text of the ordinance of 1763. The proceeds of the sale in 1763 were used many years later to start Newport's venture with free public schools.

The public schools of Newport were tuition schools, with special provision for free education for poor children. Side by side with them flourished private schools. There were, besides the public schools, at least two other opportunities for education open to poor children. By the will of Nathaniel Kay of London, Trinity Church received land and over £400 in currency with which to establish a school, on condition that it "teach ten poor boys their grammar and mathematics gratis." Mary Brett in 1773 kept a school on High street for young negroes. The school had been endowed by benevolent clergymen of the Church of England, living in London, with a "handsome fund" to instruct 30 negro children in reading, sewing, etc.

The town schoolhouse was destroyed by fire in 1774; it was not rebuilt. The Revolutionary War, and the occupation of Newport, first by the British, and subsequently by the French, closed the first chapter of the history of public schools in Newport. Nearly half a century was destined to pass before Newport as a town again undertook public education.

Warwick.—Population, 480 in 1708, 1178 in 1730, 1782 in 1748, 1911 in 1755, 2438 in 1774, 2376 in 1776. Coventry was set off from Warwick in 1741. A schoolhouse, used also for town meetings, was built in Old Warwick in 1716. It was a proprietors' school. The town voted in 1716:

“Whereas a hous hath lately bin built upon the towne orchard for a schoole hous, and a great part of the expense hath bin paid by some partickular persons, thereupon, upon further consideration, it is surrendered up to be for the use of the towne meetings upon such occasions only, reserving the liberty that it may be still for the use of a schoole hous for themselves and the rest of the towne that shall see cause, and remaining part of the cost and charge to be paid by a rate levied upon the whole towne, the sum of £130 in money or pay equivalent to be paid to those that built the hous as above, s’d to be paid out of the next towne rate, therefore, we, the proprietors, for further encouragement of the said schoole, we doe by these presents ennex the the above said lot and orchard thereunto for the use of said schoole.”

The vote of the town meant that the proprietors of the schoolhouse had agreed to permit the town to use it for town meetings, and that the town had assumed the burden of the cost of building to the extent of £130, and had granted the use of the lot on which the school stood and the orchard for use with the school. Except for the special use as a meeting place, the arrangement was of a type frequently observed in early Rhode Island school history—a land grant and some assistance for the encouragement of proprietors undertaking the building of a schoolhouse.

The town meeting that voted thus met at the home of James Carder, father of Joseph Carder, one of the early teachers. Other teachers in colonial times in Warwick were Charles Morris, Thomas Lippitt and Ephraim Arnold. Warwick closes the list of four original towns. All had made some provision for schools or the encouragement of schools.

East Greenwich was incorporated in 1677; *West Greenwich* was set off from *East Greenwich* in 1741. No record has been found of town provision for schools before the Revolution. In 1774 the General Assembly granted a lottery to inhabitants of *East Greenwich* for the purpose of raising \$600 for schools.

Smithfield was taken from *Providence* in 1730–1731. It comprised the territory now occupied by *Smithfield*, North

Smithfield, Lincoln, Central Falls and part of Woonsocket. In 1771 a meeting of Friends at Woonsocket voted: "It is thought necessary that poor children be schooled." The Friends in 1777 appointed a committee to draw up a plan for establishing a free school among the Friends. The plan adopted provided for the appropriation of a donation made by Rebekah Thayer toward the support of a school. The school was migratory, the committee having charge to keep it from time to time in different places. The committee was empowered to select and hire a teacher, to raise subscriptions for the support of the school and to select among the youth in the families of Friends those whose circumstances entitled them to schooling without charge under the donation.

Exeter was set off from North Kingstown in 1742-1743. In 1696 Samuel Sewall of Boston donated 500 acres of land in Exeter to maintain a grammar school in the district, but no action was taken by the town until 1766, when the General Assembly authorized the town to accept the gift and to build a schoolhouse on the Ten Rod road.

Middletown, the "Woods," was set off from Newport in 1743. As early as 1702 six acres of land were set aside in what was to be Middletown, as school land. More land was set aside for school purposes, later, and Newport provided at least one schoolhouse for the section in 1723, though the records indicate the possibility that two schoolhouses were to be constructed, it being ordered that £20 *apiece* be paid out of the town treasury for the building of the *schoolhouse* in the Woods." At the first town meeting in 1743, a motion to repair the schoolhouse was presented, and in 1753 repairs were ordered on the Eastmoss (possibly eastmost) schoolhouse. In 1754 the town appointed a school committee, with authority to hire or agree with a good schoolmaster to keep school, one-half time in the east schoolhouse, and one-half time in the west schoolhouse. The school-

master was to receive the income from the school land, tuition from his pupils at a rate to be fixed by the school committee, and from the treasury the balance necessary to make up the salary agreed upon. Two years later the school committee was abolished, and power was given the town council to rent the school lands and hire a schoolmaster, an important change if it meant that the schools were to become free public schools in fact. The town receded from its advanced position, however, and in August, 1747, Edmund Tew was engaged as schoolmaster, to keep school for two months, receiving tuition and £5 out of the rents of the school land. Edmund Tew was succeeded by Ebenezer Reed. Varying terms were made with successive schoolmasters, some paying rent for the schoolhouse. In 1754 the town was divided into school districts.

THE DISPUTED TERRITORY.

By royal decree in 1747, confirming Rhode Island's claim to the eastern boundary line described in the charter of 1663, Cumberland, Bristol, Tiverton, Little Compton and Warren, including Barrington, were added to the colony. Bristol, Warren and Barrington had schools when they became Rhode Island towns. No record of early schools in Tiverton or Little Compton has been found, Massachusetts law to the contrary notwithstanding. Cumberland, perhaps, participated in the activity of the Woonsocket Friends, already mentioned under Smithfield.

Barrington was set off from Warren in 1770. School activity in Warren began in the Barrington section while Barrington was held as part of Swansea, Bristol county, Massachusetts. In 1673 John Myles, pastor of the church, was employed as schoolmaster in a school for "the teaching of grammar, rhetoric and arithmetic, and the tongues of Latin, Greek and Hebrew; also to read English and to write." His salary was fixed at £40 per annum in currency. The school was not a free school.

The town records show a long line of successors to John Myles and indicate that schools were kept in Barrington regularly. Barrington was divided into three school districts in 1770.

Warren was the first home of Rhode Island College in 1764, and of the University Grammar School, which Dr. Manning established as a preparatory school and conducted in the parsonage of the Baptist Church. The General Assembly granted a lottery to provide money to complete the parsonage for use by Dr. Manning's students.

Bristol was settled in 1680. Two years later the town voted: "That each person that hath children ready to go to school shall pay three pence a week for each child's schooling to the schoolmaster, and the town by rate, according to each ratable estate, shall make the wages to amount to £24 the year. The selectmen to look out a grammar schoolmaster, and use their endeavor to obtain £5 of the Cape money granted for such an end." A houselot, ten acres of land and commonage were voted for the schoolmaster's use. The Cape money was the revenue that Plymouth Colony derived from profits arising from fishing with nets or seines at Cape Cod for mackerel, bass or herring, which the colony in 1670 granted "to be improved for and toward a free school in some town in this jurisdiction, for the training up of youth in literature for the good and benefit of posterity." In 1677 the colony ordered the Cape money distributed "to such towns as have such grammar schools, not exceeding £5 per annum to any one town." Because Bristol does not appear in the list of towns which received Cape money, Small concluded* that probably no school was established in Bristol pursuant to the vote in 1682. The records of Cape money distribution do not extend beyond 1684. At least as early as 1685, perhaps earlier, Samuel Cobbitt was serving as town schoolmaster in Bristol.

*"Early N. E. Schools," p. 17.

In 1699 Bristol was divided into two school districts, and in 1700 £20 was voted for the south district on condition that it "improved a schoolmaster" eight months of the year, and £10 to the north district for a four months school. In 1709 the same schoolmaster served both districts, teaching three winter months on the Neck and the balance of the year in "the town."

At the beginning schools in Bristol were taught in rooms in private houses, hired and paid for by the town. The first appropriation for erecting a town schoolhouse was made in 1702, when £20 was voted for a schoolhouse in the compact part of the town. Twenty-five years later £50 was appropriated to build a schoolhouse, 26x20 feet, in the town, and the same year, 1727, the town paid £20 for a schoolhouse already built on the Neck by private parties. The school on the Neck was sold in 1765.

Nathaniel Byfield's gift of school land in 1714 "for and in consideration of a due regard which he had for the advancement of learning and good education," made simple the problem of school support. The Byfield land yielded an almost unfailing income, which relieved the people of the burden of direct taxation for schools and likewise removed any temptation to backsliding. Beginning in 1718, money collected for licenses for entertainments was appropriated to school support. The town records contain a long list of names of teachers, engaged from time to time, and show that schools were kept regularly in the town down to 1772. In 1751 Bristol appointed its first school committee, and probably the first school committee in Rhode Island.* St. Michael's Church, Bristol, like Trinity Church, Newport, received a legacy from Nathaniel Kay, to be used for the education of poor boys.

For Westerly, incorporated in 1669; New Shoreham, 1672; North Kingstown, 1674; Jamestown, 1678; South Kingstown, 1722; Scituate and Glocester, 1730; Charlestown, 1738; West Greenwich and Coventry, 1741; Cumberland (except Woon-

*Providence, 1752; Middletown, 1754.

socket, see Smithfield), Little Compton and Tiverton, 1747; Richmond, 1747; Cranston, 1754; Hopkinton, 1757; Johnston, 1759, and North Providence, 1765, records of public school support before the Revolution have not been found. These towns had a combined population of 31,719 out of 55,011, for the colony, in 1776. For the most part they were towns of large area, and their population was scattered. Before the war the interests of Rhode Island were agricultural and commercial; the era of industry and the factory village had not come. The absence of town records does not prove that these towns were without schools.

Viewing the colony as a whole, in 1770, in provision for public education, the three towns on the Island of Rhode Island—Newport, Portsmouth and Middletown—and Barrington, Warren and Bristol were leading. The situation in Providence was hopeful, though far from being all that could be wished for. Providence was not satisfied with "public schools" in the sense in which the term was commonly used in the eighteenth century; the movement molding public opinion there and pressing for expression aimed at public schools free for all children without respect to ability or inability to pay tuition.

THE RHODE ISLAND THEORY OF EDUCATION.

The early town records show that, while no town undertook responsibility for the provision and maintenance of schools exclusively at the expense of the taxpayers, there were four ways in which public education was assisted and encouraged, viz.:

1. By land grants of school sites, houselots for schoolmasters and tracts the income of which was devoted to school support.*

2. By building schoolhouses as public property, to be rented or leased, or let rent free to a schoolmaster. It seems likely

*Providence, Newport, Middletown, Bristol.

that in some instances the schoolhouse was a dwelling for the master, as well as a schoolhouse.*

3. By the employment of a town schoolmaster and the guaranty of some part of his salary, or the part thereof necessary to raise his receipts from tuition from his pupils or other sources to a fixed minimum salary.†

4. By grants of school sites or money to groups of inhabitants organized as school societies to maintain quasi-public schools.‡

The schools thus assisted and encouraged were not free schools, except that provision sometimes was made for free instruction for poor children. Responsibility for the training of the children of the community rested upon individuals, parents or families, primarily. Towns recognized an obligation to contribute to and encourage so desirable an institution as a school for the youth. As for the colony—that is, the government exercising legislative functions through the General Assembly—Rhode Island became a patron of education on lines somewhat similar to those already adopted by the towns. The earliest measure of an educational character permitted use of a room in the Colony House in Providence for library purposes; when the library was destroyed by fire, the owners were granted a lottery franchise to assist in replacing the library. The charter of Rhode Island College in 1764 exempted the college estate from taxation, a privilege of increasing value as years rolled by and the college endowment grew, and worth in the nineteenth century not less, it is estimated, than \$80,000 annually.

AN EVALUATION.

The unfavorable estimate of Rhode Island's school history which has prevailed generally, arises largely from the error of

*Providence, Newport, Portsmouth, Middletown, Bristol.

†Newport, Middletown, Barrington, Bristol.

‡Providence, Newport, Warwick.

studying school progress exclusively in legislation. The historians of the past who found general school *laws* in Massachusetts and Connecticut in the middle of the seventeenth century, and none in Rhode Island before 1828, reached the conclusion that Rhode Islanders were backward in providing schools, ignoring the fact that there were 193 schoolhouses in Rhode Island in 1828. It is, and has been, characteristic of Rhode Island school history that *progress and improvement precede legislation*; that experiments have been worked out in some towns before the enactment of laws. Indeed, some Rhode Island school law has aimed to prevent retrogression from standards already attained without general laws.

Following the original error arising from comparison of legislation, without the saving grace of studying its enforcement or observance, historians have invented reasons for their conclusions that should differentiate the cradle of American democracy from its neighbors. It is positively certain that the Massachusetts and Connecticut *ordinances did not build a single schoolhouse* or establish a single school, and that the early legislation in both colonies did not provide ways and means for aiding schools, whereas the first Rhode Island general school law was an appropriation measure. Small's "Early New England Schools" demonstrates beyond a reasonable doubt that school beginnings in Massachusetts and Connecticut did not differ materially from school beginnings in Rhode Island. The Massachusetts law of 1647, requiring every town of 50 families to provide a school, exempted towns with 49 families. It is clear, also, that provision for schools did not follow immediately the establishment of settlements in Massachusetts and Connecticut.

Schoolhouses in the neighboring colonies were neither better nor worse than those in Rhode Island; teachers were no better paid for their services; the length of the school year did not vary greatly. There was one important difference between

Rhode Island and her neighbors. Massachusetts and Connecticut were theocratic; Rhode Island was the home of complete religious freedom. The Massachusetts law of 1642 would have violated the basic principle of liberty of conscience for which Rhode Island has always stood. The type of school first founded in Massachusetts and Connecticut would have been an anomaly in Rhode Island.

The people of Rhode Island began, in the earliest years of the colony, to work out—in their own way—the problem of educating the youth. The unimpeachable evidence of records and the fair presumption of continuity amply warrant the conclusion that Rhode Island has not deserved a reputation for backwardness in education. There is much in the history of colonial education of which Rhode Island may well be proud.

CHAPTER II.

THE BEGINNINGS OF A STATE SCHOOL SYSTEM.

Interest in education was revived and extended in Rhode Island almost immediately after the close of the Revolutionary War, although the establishment of a state system of free public schools under general laws still lay far away in the future. In the half-century after the war the foundations of a state system were laid securely in the towns. Private schools flourished, maintained by the patronage of those who as individuals realized the advantages that education would secure for their children. This period witnessed the rise of the school society, wherein individuals combined and co-operated in providing education for the children of the group. The organization of the school society varied in form, from the elementary, almost primitive combination of individuals who co-operated to hire or furnish a room for a school and to engage a teacher for a few months, to the incorporated society which built a schoolhouse and provided instruction regularly. In several towns the school district organizations under the state school laws recognized the existing school societies, and society schoolhouses became the homes of public schools. In towns where public schools had been maintained previous to the Revolutionary War, further progress was made, as a rule, after the war. In two towns free public schools were established and maintained before the state made provision for the support of public schools.

Between 1775 and 1800 the following books, mostly textbooks adapted for use in schools, were published by Rhode Island printers: Four editions of the New England Primer, in 1775, 1782, 1785, and 1800; two editions of the Pennsylvania Spelling Book, in 1782 and 1789; Ross's American Latin Grammar, in 1780; Burr's American Latin Grammar, in 1794; the Universal Spelling Book, in 1784; the American Youth's Mathematics, in 1790; Wilkinson's "The Federal Calculator," in 1795; the Young Ladies' and Gentlemen's Preceptor, in 1797. Fox's "Instructions for Right Spelling" was published in Rhode Island in 1737.

THE EVOLUTION OF RESPONSIBILITY.

Regarding the education of the child, consistently with early Rhode Island school history, as primarily a responsibility resting upon the individual, parent or family, there were, until education became socialized and the state provided free public schools, several ways in which this obligation might be fulfilled:

First, the parent, himself or herself, might become the family teacher, the latter exemplifying the school of the mother's knee, prototype of the dame school, familiar even less than a century ago, in which the versatile housewife divided her attention betwixt household economics and the instruction of the youth of the neighborhood.

Secondly, the teacher might be a professional instructor, exercising his calling as an individual entrepreneur, or perhaps combining a vocation and an avocation, as did William Turpin, the innkeeper-schoolmaster of Providence. Possibilities in this category range from the pastor of the church, whose business was the saving of good souls, to the village cobbler, a mender of bad soles, or perhaps an itinerant tinker, who could rehabilitate pots, pans, kettles and other household paraphernalia, while he tarried in the neighborhood teaching school a few months in the year. The latter half of the eighteenth and the early half

of the nineteenth centuries witnessed the coming to New England of itinerant Irish schoolmasters, many of whom settled down and became permanent residents, leaving memories still cherished in connection with early American school history.

Thirdly, co-operation is one of the most economical solutions of the problem of supplying a common need, and this rule applies to education as well as to other necessities. In some instances in Rhode Island co-operation functioned as a broadening of family responsibility to embrace a larger family, such as the combination of the four Kenyon brothers in Richmond.* In other instances co-operation developed in neighborhood groups, such a movement producing the first schoolhouse west of the river in Providence.† The Society of Friends was the first religious organization to provide a school for its children.

Fourthly, out of the co-operative school organization naturally developed the incorporated school society, when the property interest became sufficiently important to warrant an organization that should have a legal personality and rights and privileges distinct from the personal rights and privileges of its members. The advance from co-operation to incorporation was merely a matter of form. The organization was still voluntary.

Fifthly, voluntary co-operation tends to become, ultimately, involuntary co-operation. When this development is reached the obligation to educate the young becomes communal instead of individual; the obligation rests, not exclusively upon the parent as regards his children, but upon all citizens, whether parents or not, as regards all the children of the community. The burden rests primarily upon the taxpayer and not upon the parent.

A student of purely theoretical social evolution encounters no serious difficulty in recognizing universal involuntary co-operation as the fifth term in a series the third and fourth of

**Infra.*

†*Supra.*

which had demonstrated that voluntary co-operation was advantageous. These are the prime factors: 1. Public recognition of the desirability of education with precedents from 1640. 2. Similar precedents for public support of education. 3. Co-operation at a highly developed stage, though still largely voluntary, and aiming at a purpose rhythmically consonant with the public good. 4. A public need—education for all—not supplied by existing agencies under private control. 5. Democracy broadening in a new republic, experiencing in the nineteenth century a clear appreciation of the spirit of Liberty, Equality and Fraternity which had dominated the French Revolution more than its American prototype. 6. A period in which the theoretical and idealistic democracy of Thomas Jefferson was ripening into the practical democracy rough-hewn by Andrew Jackson and perfected by Abraham Lincoln. The evolutionist can find only one solution of this problem, and he can prove his solution accurate by the verdict of history that it actually happened.

This chapter is, however, a pragmatic study aiming to present for each town and for the state, as nearly as has been found, a complete record of the educational activity that established the foundations for universal co-operation and a state system of public schools. Precedents before the fact are more impressive than sanctions after the fact.

It is not possible to trace in any town's experience all the stages of the development of consciousness of society's duty and responsibility in supplying the means of public education; the movement was natural. Like Topsy, it "jest done growed" and the line of progress is irregular, unconventional, asymmetrical, and uneven. In some towns little advancement was attained; in others full florescence was reached before the state made its first appropriation for the support of public schools. In many towns only crude beginnings were made; in others the start was more propitious. All accomplished something.

The entire period was alive with educational activity, wanting, however, central direction and control; the movement was sporadic at first, but gradually it combined to produce a general uplift. It is surprising, indeed, when the facts are collected, that Rhode Island acquired a reputation for backwardness; it was not entirely deserved, certainly.

When the state as a whole is viewed, variations appear somewhat less pronounced, and four movements may be distinguished: First, the liberal extension of educational opportunities and the increasing number of schools; second, the growth of co-operation, evidenced by the development of the school society; third, an unmistakable trend toward town free public schools; fourth, a movement for state support, to supplement the town systems. The towns were first in order.

BARRINGTON, BRISTOL AND BURRILLVILLE.

Barrington was divided into three school districts in 1770. There were two schoolhouses in the town in 1819 and three in 1828. The buildings were owned by inhabitants and held by joint ownership. The schools were not town schools. The Barrington Library Association was incorporated in 1806.

Bristol, in 1781, engaged Samuel Bosworth to teach a school, hiring a room for the purpose while the town schoolhouse was being made fit for occupancy. The old schoolhouse, which was dilapidated and needed almost constant repairs, was replaced by a new building in 1809, after six years of agitation and endeavor. The movement was undertaken in 1803, when a committee was authorized to solicit subscriptions. The building was erected finally jointly by the town, which made an appropriation, and by St. Alban's Lodge of Freemasons, which owned and occupied the upper story as a lodgeroom. After the sale of the schoolhouse on the Neck in 1765, there was no schoolhouse in that section until 1802, when Peter Church, William DeWolf, William Coggeshall and other inhabitants

were granted permission to build a schoolhouse on the ten-acre lot on the main road to Warren, part of the Byfield donation.* The dimensions of this building were 22x20 feet. The town was divided into three school districts in 1811, but the North district was without a schoolhouse until 1818, when certain of the inhabitants erected a building at their own expense on a lot owned by the town. The Byfield school land was leased for a long period of years in 1811, and the rents were reinvested; the districting of the town was principally for the purpose of insuring an equitable division of the annual income. In 1828 Bristol had three public schoolhouses, and the annual appropriation for school support amounted to about \$350, the money being derived from the income of the Byfield donation, rents, and licenses for entertainments. The town schools were not free schools. The Bristol Female Charitable Society provided schooling for indigent girls. The state granted a lottery in 1797 to aid an academy in Bristol, and chartered Mount Hope Academy in 1806. A private school on the Lancaster plan was conducted in the Academy building in 1826.

Burrillville was set off from Glocester in 1806. The early schoolhouses were built by proprietors, and the teachers were paid by the parents of their pupils. There were ten schoolhouses in Burrillville in 1819, and eleven in 1828, rated as public schools, although the town appropriated no money for school support. The Burrillville Library was incorporated in 1821, and the Burrillville-Lafayette Library Company in 1826.

CHARLESTOWN, COVENTRY, CRANSTON AND CUMBERLAND.

Charlestown was set off from Westerly in 1738, and from Charlestown Richmond was taken in 1747. In 1804 the General Assembly granted a lottery to build a schoolhouse and meeting house in Charlestown. The earliest public school-

*See Chapter I.

house in the town was that of the Narragansett Indian school, maintained for the members of the tribe. The town took no action to provide schools or schoolhouses previous to 1828. There were ten private schools in Charlestown in 1819, and about the same number in 1828.

Coventry, as a town, made no provision for public education previous to 1828. Tradition places the establishment of three proprietors' schools in the town soon after the close of the Revolution. There were eight schoolhouses in Coventry in 1819 and ten in 1828. The Coventry School Society was incorporated in 1814, and the Mill Brook School Society in 1828.

Cranston was part of Providence until 1754. There were six schoolhouses and a library in Cranston in 1819, and eleven schoolhouses in 1828, although schools were not kept regularly in all cases. The town made no provision for public education.

Cumberland School Society was chartered by the General Assembly in 1795, Cumberland Academy in 1800, Cumberland Union School Society in 1814, and Cumberland Literary Society in 1819. There were nine schoolhouses in the town in 1819, and thirteen in 1828. The Cumberland schools were described in 1828 as well housed, well taught and kept regularly. Cumberland school districts were authorized in 1838 to acquire the proprietors' interests by purchase.

EAST GREENWICH, EXETER, FOSTER AND GLOCESTER.

East Greenwich inhabitants, in 1774, received a lottery grant, wherewith to build a schoolhouse; in 1780 the grant was renewed, the amount of money to be raised increased, and the purpose designated as the building of two schoolhouses. In 1804 still another lottery was granted by the General Assembly, to build a schoolhouse in East Greenwich, near Cory pond. Kent Academy was chartered in 1802, and opened in 1804.

The bell from Kent County Courthouse was given to Kent Academy in 1806. Frenchtown Academy, to be located in the western section of the town, was chartered in 1803, 1806 and 1820. As a town East Greenwich did nothing for public school support prior to 1828. In that year there were four schoolhouses in the town, besides Kent Academy and a private school in the compact village. The Charitable Society of East Greenwich was established in 1815 to clothe and school poor children.

Exeter was set off from North Kingstown in 1742-3. There were two schoolhouses in the town in 1819 and three in 1828, in which winter schools were kept.

Foster was taken from Scituate in 1781. There were eleven schoolhouses and a library in the town in 1819, and fifteen schoolhouses in 1828.

Glocester was set off from Providence in 1730. Burrillville was taken from Glocester in 1806. There were twelve schoolhouses and a library in Glocester in 1819, and eleven schoolhouses, in which fifteen schools were kept, in 1828.

HOPKINTON, JAMESTOWN AND JOHNSTON.

Hopkinton was taken from Westerly in 1757. In 1805 the General Assembly granted a lottery to build a meeting house and schoolhouse in Hopkinton. There were six schoolhouses in Hopkinton in 1819, and other schools were kept, but not regularly in all instances. In 1828 the number of schoolhouses had increased to nine, in three of which schools were kept through the year, while six were winter schools.

Jamestown, on the Island of Conanicut, was incorporated in 1678. The first schoolhouse of which there is positive information was erected on the island about 1802. There were two schoolhouses in 1819 and three in 1828, when the population was 448.

Johnston, the west end of Providence, was incorporated in 1759. There were seven schools and a library in Johnston in 1819, and four schoolhouses, in which six or seven schools were kept in winter and three in summer, in 1828.

LITTLE COMPTON AND MIDDLETOWN.

Little Compton was one of the five towns transferred to Rhode Island by royal decree in 1747. Of early schools in the town no records have been found. Seven schools were kept in Little Compton in 1819, and in 1824 there were eight schoolhouses, in which schools were kept regularly.

Middletown had displayed more enterprise than most Rhode Island towns in maintaining schools under town management before the Revolution. Unfortunately the ordinance for dividing the town into school districts, adopted in 1754, transferred control and responsibility for school maintenance to the districts, it being provided "that each squadron (district) shall have the sole power of managing their own schoolhouses and lands, by leasing out the same, and employing schoolmasters as it shall be most agreeable to them." Nevertheless the town provided a "well crotch and sweep to the well at the east schoolhouse" in 1759, and in 1776 repaired the eastern schoolhouse at an expense of \$48.25, which was paid out of the town treasury. The eastern schoolhouse was destroyed by fire in 1786, and the town offered a reward of £30 "to any person or persons who will give information of the principal or accessory in wilfully setting fire to the east schoolhouse." The east school land was rented in 1787 for "six bushels of good Indian corn," and in 1789 it was rented for "thirteen bushels of good merchantable Indian corn, to be paid and delivered into the treasury." Probably corn was preferable, as legal-tender, to post-Revolutionary paper money. In 1789 the rents of the east school land were appropriated to the use of schooling poor children, and in 1790 the beneficiaries were limited to poor

children in the east end. In 1792 it was voted that the rents from the "eastermost" school land "be collected and put on interest in order to be employed toward building a schoolhouse." Although the town records did not mention the specific cause, it seems likely that the question of responsibility for rebuilding the east schoolhouse aroused a controversy that has left a trace upon the records in the foregoing and subsequent votes of the town. The districting ordinance of 1754 proved to be a stumbling block for those who favored rebuilding at the expense of the town as a whole. If it remained in effect, the inhabitants of the east end probably must rebuild their own schoolhouse without material assistance from the other district. In May, 1789, the district ordinance was repealed, although it was still provided that "all persons who send children to the west school shall have the full power of chusing a schoolmaster to keep schoole in said house, and all other persons who have no children to send shall be excluded from any vote in chusing said schoolemaster." The ordinance was broad enough to exclude residents of the east end, which probably was intended, as well as bachelors and benedicts who had no children, from participating in the choice of the schoolmaster for the west end. The next month, however, west end interest was stronger in town meeting, and the ordinance of 1754 was revived, only to be repealed again later in the year. In 1790 a committee was appointed to "inspect into the rights of the town to the west schoolehouse and land, if any they have." The committee's report has not been found. Another committee was appointed in 1807, to "see how the east and west school land stands," and it reported: "We have searched the proprietors' records and find that the east school land was granted for the benefit of the proprietors in that part of the town, and the west school land for the benefit of the proprietors in that part of the town, but in searching the town meeting book of records we find by the votes of the freemen in several town meetings, said school lands

have been managed by the town in many ways." From 1819 to 1853 district No. 1 controlled the school land in its district and received the income. The Supreme Court, in 1856, confirmed the right of the district.* In 1810 and in 1819 land was granted to two companies of proprietors to erect schoolhouses. Thus there were at least three schoolhouses in Middletown in 1819, although five schools were kept; in 1828 there were five schoolhouses in the town. Middletown claimed tax remission under the state law of 1800 on account of its free school, presumably the west end school.

NEWPORT.

Newport suffered more than any other Rhode Island town during the Revolutionary War, although Bristol was bombarded by the British. The British destroyed Long Wharf in Newport in 1779; revival of the commerce that had made Newport one of the most prosperous seaports on the Atlantic coast before the war awaited its rebuilding. In 1795 the General Assembly named 36 petitioners, citizens of Newport, as trustees and granted them a lottery to raise \$25,000 toward rebuilding Long Wharf and for building a hotel, upon condition that all profits arising from the wharf and hotel should be appropriated to building one or more free public schools.† The lottery yielded, it is estimated, \$12,000; the wharf was rebuilt and the work was completed in 1800. The hotel was not built.

Under date of May 16, 1795, Simeon Potter of Swansea‡ wrote to two members of the board of trustees:

*Gould vs. Whitman, 3 R. I. 267.

†Small, "Early N. E. Schools," p. 210: "Newport had a lottery from which a wharf and hotel were to be built, the proceeds of which were to support a public school. The result is not known." Comment seems unnecessary.

‡Simeon Potter was born in Bristol about 1720. Of poor parentage, he went to sea as an humble seaman, and returned to Bristol after a career as a privateer captain, one of the richest men in the town and colony. From 1752 to 1777 he represented Bristol in the General Assembly. He commanded a boat from Bristol which joined the Gaspee party on June 10, 1772. He was Major General of Rhode Island troops in 1776. He claimed residence in Swansea after 1780, it has been said, to escape taxation in Bristol; but he retained his membership in St. Michael's Church in Bristol until he died in 1806. He was buried in Bristol.

"Gentlemen: I saw in the *Boston Centinel* a scheme of a lottery, for the laudable intention of rebuilding Long Wharf in Newport, the building of a hotel, and, more especially, establishing a free school, which has determined me to make a free gift of my estate on the point called Easton's Point, which came to me by way of mortgage for a debt due from Hays and Pollock, if you will accept of it in trust to support a free school forever, for the advantage of the poor children of every denomination, and to be under the same regulations as you desired the free school should be that you design to erect. If you, gentlemen, will please get a deed *wrote* agreeably to the intentions here manifested, I will sign and acknowledge the same and send it to you for recording. I would only mention that if the situation is agreeable to you, the house and garden would do for a schoolmaster, and the oil house, which is large, might be fixed up for a schoolhouse. This as you may think proper. There is no person here that understands writing such a deed, or I would have sent it to you completely executed.

"I am, gentlemen, with respect, Your humble servant,

"SIMEON POTTER,"

The gift was accepted. The deed recited the terms of the trust thus: "Now I, the said Simeon Potter, moved by the regard I have for the good people of the said town of Newport, and by the afflictions which they have suffered in the late war, and wishing to promote their rise and prosperity, and the education of their children of the present and succeeding generations, do hereby, in consideration thereof, give, grant," etc.

The Potter property stood at the corner of Washington and Marsh streets in Newport. The house was rented by the trustees and the first income was applied to repairs. The trustees, in 1800, tendered the use of the property "to the town for a schoolhouse, on condition of the town repairing the same and paying such rent as may be agreed upon, provided it is appropriated for a school, conformably to the act of the Assembly for establishing free schools, and that it be called the Potter school." But Newport took no action to provide free schools under the act of 1800.

In August, 1814, a committee of the trustees was authorized to devise a plan for the commencement of a school. The com-

mittee recommended renting the Potter house to a suitable person to keep a school for a number of boys belonging to families in the town who are unable to educate them, and that they be instructed in reading, writing and arithmetic necessary for ordinary business and navigation. The committee found a room in the house, 15x40 feet, with two fireplaces, which could be fitted up to accommodate 50 or 60 scholars, and that Capt. Joseph Finch and his wife, "who occupy the chambers keeping a school," "will undertake to instruct 20 or 30 children in reading and find the necessary firewood, at \$1.80 each per quarter." The record sanctions the conclusion that the house was even then in use as a private school. The committee also advised that Job Gibbs, a carpenter, who occupied the first floor and was largely in arrears for rent, be employed for making the necessary repairs for the accommodation of the pupils, "on enlarging the establishment under the direction of an instructor in the higher branches." A committee was appointed to carry the plan into effect, and a school was opened October 10, 1814, with 21 small boys as scholars. From the report of the school committee of May 1, 1815, it appeared that Elizabeth Finch, wife of Capt. Finch, was the teacher, as the committee found that the boys "have made greater progress with their learning than was anticipated, and that Mrs. Finch, with the assistance of her husband, had done ample justice to the pupils." At a meeting of the trustees in April, 1815, the committee was authorized to enlarge the school to accommodate 40 pupils. The September gale of 1815 prostrated Newport and damaged Long Wharf. The trustees were compelled, in 1817, to reduce the school to 10 pupils. The schoolhouse was repaired in 1823, and school committees were appointed from year to year. The trustees in 1827 employed counsel to ascertain their rights under the will of Constant Taber. It was found that a codicil to the will had revoked a legacy of 30 shares of United States Bank stock. Capt. Finch died in 1829, and Mrs. Finch was engaged

to conduct a school for small children of both sexes, in lieu of payment of rent. In July of the same year the widow Dennis rented the house on the same terms, remaining until 1832, when the Potter school was discontinued. The Potter estate was sold in 1834 for \$505, and the proceeds were placed in a savings bank. Long Wharf was leased for 100 years, in 1860, to the Newport and Fall River Railway Company at an annual rental of \$1400. The trustees had in the savings bank \$2293.38, accumulated from the Potter donation. In 1863 a new two-story brick schoolhouse, which cost \$13,000, was built by the trustees and presented to the city of Newport. A second schoolhouse was built by the trustees at a later date, and the city of Newport is still from time to time a beneficiary of the trust.

Fifty years after the destruction of the central town schoolhouse, that is in 1824, interest in public education revived sufficiently in Newport to make the question of providing public schools one of the most important topics for discussion in town meeting. In 1825 the General Assembly, upon petition, authorized Newport to raise a tax of \$800 "for the education of the white children of the town who are not otherwise provided with the means of instruction." A lottery granted for school support was not taken up by the people of Newport. The town made its first annual appropriation, under the new dispensation, in 1825. To the annual appropriations in 1825 and 1826 were added the proceeds of the sale and rent of school land; and the building of a schoolhouse, "60 feet long and 36 feet wide, of brick and stone, two stories high," was undertaken at a cost of \$3000. Provision was also made for the accumulation of a school fund from the proceeds of sales of school land under earlier grants, and \$1500 was added to the fund by bequest of Constant Taber.

In March, 1827, the town authorized the opening of a school for boys in the upper story. A school on the Lancaster or

monitorial plan began on May 21, 1827. The school was in charge of a school committee, which had power to appoint schoolmasters and assistants, to regulate the admission and discharge of scholars, to provide books, stationery, etc., and in general to superintend and manage the school. The school was not an absolutely free school. It was provided:

“In order that the benefit of the school may be extended not only to the most indigent of our citizens, but to those also whom industry and economy place above want, the following low rates of tuition shall be established, viz.: For the alphabet, spelling and writing on slate, 25 cents per quarter. Continuance of ditto, with reading and arithmetical tables, 50 cents per quarter. Continuance of the last, with writing on paper, arithmetic and definitions, \$1. The preceding, with grammar, geography and the use of maps and globes, book-keeping, etc., \$2. No additional charge for fuel, books or stationery.

“The object of the foregoing scale of prices for tuition is to foster and encourage the praiseworthy feeling of independence in those parents who wish to educate their children at their own expense, but whose limited means are insufficient to pay the customary rates. But it is at the same time expressly provided that no child shall be excluded from the benefits of the school merely from inability to pay for his tuition.”

There were 337 applicants for admission to the school, 279 pupils were admitted, and 217 were in attendance at the end of the first year. The school committee found that the tuition paid was insufficient to defray the expense of books, slates, etc., a consideration which should, perhaps, entitle this school to rank as a free school, since free schools generally did not provide free books or stationery for their pupils. In Providence pupils could be assessed for fuel until 1833, and were required to furnish their books and ink for writing. The Newport school committee praised the Lancaster system as the best available for a large school. The instructor received \$600 a year.

A school for girls on a similar plan was opened in the lower story of the schoolhouse in 1828. It is estimated that there were in Newport in 1828, besides the public schools and the Potter school, 42 private schools, which accommodated 1100 pupils.

NEW SHOREHAM AND NORTH KINGSTOWN.

New Shoreham made no provision for public schools earlier than 1828. In that year there was one schoolhouse on the island; four schools were kept four months in winter and six months in summer.

North Kingstown elected its first school committee in 1828. Of schoolhouses in the town earlier than 1800 no record has been found. The General Assembly in 1806 granted a lottery to build a schoolhouse at the Four Corners in North Kingstown. In that year a schoolhouse, 24x26 feet, was built by Thomas Allen, John Wightman and Thomas G. Allen at Quidnesette. Tradition says that it was furnished with a pulpit and desk, and that it was used for meeting and school purposes until 1837. Another schoolhouse was built in 1808 by William Reynolds, a factory owner ; this, according to the *American*, was the only schoolhouse in North Kingstown in 1828, but the *American* probably was in error in this instance. A third schoolhouse was erected near Davisville before 1810 by Ezra and Jeffrey Davis. The *Rhode Island Register* of 1819 declared that 12 schools were kept in North Kingstown, while the *American* of 1828 placed the number at six. No town or other records to verify either estimate have been found. The General Assembly chartered Washington Academy at Wickford in 1799. Nicholas and Ann Spink, and John and Hannah Franklin donated four acres of land for a site; Samuel Elam presented \$100 cash, and the General Assembly, in 1803, endowed it with a lottery. The stockholders subscribed \$2000. The academy was opened in 1802, and had a long, though somewhat precarious existence. It was sometimes called Elam Academy, by which name it was mentioned in the *American* in 1828.

NORTH PROVIDENCE AND PORTSMOUTH.

North Providence was set off from Providence in 1765. The earliest school in the town of which a record has been found was

opened at Pawtucket in 1791 for mill children, under the patronage of Samuel Slater, founder of the cotton spinning industry in America.* Samuel Slater himself was a teacher in a secular Sunday School for mill operatives. What was known as the Red Schoolhouse was erected at Pawtucket in 1793; it was a proprietors' school and received pupils from both sides of the Blackstone river, which at that time marked the boundary line at Pawtucket between Rhode Island and Massachusetts. The Pawtucket School Society was chartered in 1795, and the Pawtucket Union Academy in 1801, and again in 1805. The academy, when built, stood on what is now Pleasant street. At the western end of the town, near Centredale and the Fruit Hill section, Nathan Angell, Olney Angell, Benjamin Whipple and Roger Olney built a schoolhouse on Smith street between 1802 and 1805. The General Assembly, in 1808, granted a lottery for an academy in North Providence on the Smithfield pike. There were eight schoolhouses and two academies in North Providence in 1819, and seven schoolhouses, an academy and four other schools in Pawtucket, in all eleven schools, in 1828.

Portsmouth had been well supplied with schools before the Revolution; there is little reason to believe that schools were not kept regularly in the town, except in war times. There were seven schools in Portsmouth in 1819, and four schoolhouses, accommodating four winter and one or two summer schools, in 1828.

PROVIDENCE

Rhode Island College was the first school in Providence to resume its sessions after the war. Dr. Manning issued a call for a reopening in 1780, and the General Assembly ordered the Quartermaster to remove the public stores from the Brick

*The first American-made spinning jenny was constructed in Providence in 1787; the first American cotton factory was started by Samuel Slater in Pawtucket in 1790. Eli Whitney invented the cotton gin in 1793.

schoolhouse and put it in order for use by the students of the college, in July, 1780. But just then came the French, who took possession of University Hall as a hospital and barracks. In 1782, after the departure of the French, upon petition of the college, the state repaired University Hall, and the college reopened in October of that year.

Providence furnishes an illustration of the development of voluntary co-operation into involuntary co-operation. Interest in schools generally revived in Providence almost immediately after peace was restored. There were three schoolhouses in the town, the Brick schoolhouse on Meeting street, owned in part by the town and in part by a company of proprietors, and Whipple Hall and the school west of the river, both proprietors' schools. Early in 1785 a committee appointed to draw up a plan for school government reported, in words which recognize the public need and state the logical conclusion:

"They have endeavored to suggest some general outlines for the regulation of schools, as they are now supported by individuals, but are of the opinion that no effectual method can be devised for the encouragement of learning and the general diffusion of knowledge and virtue among all classes of children and youth, until the town shall think proper to take a matter of so much importance into their own hands, and provide and support a sufficient number of judicious persons for that purpose."

In town meeting June 29, 1785, a school committee was appointed "to take the government of the town schoolhouse under their direction, and to appoint proper masters, and to give their direction for the government of the schools," with power also to "take charge of such other schoolhouses in town as the proprietors may think proper to resign into the care of the town, and also of such funds as may be hereafter provided by the town for the support of schools," and to negotiate with the proprietors for a surrender of their schools into the charge of the town school committee. The purpose of combining existing agencies under public control is clearly indicated.

Negotiations with the proprietors of Whipple Hall and of the upper floor of the Brick schoolhouse on Meeting street resulted in an agreement satisfactory to the school committee. The town appropriated for school support the money to be recovered from the United States for war damage to the Brick schoolhouse, the rents of the Market house cellar and stalls, and wharfage on the Market house lot. The Rev. Enos Hitchcock, a member of the school committee, delivered an eloquent "Discourse on Education" in the First Congregational Church on November 16, 1785, which was printed in pamphlet form by Bennett Wheeler and had a wide circulation.* The school committee endeavored zealously to improve the schools committed to its care. A report of a meeting of this school committee held on

January 16, 1786, was printed as a broadside by John Carter.† The committee examined and approved a "method of teaching the rudiments of arithmetic," and recommended it to the schoolmasters. The discussion of content and method was thorough, and the committee report might serve as an excellent syllabus. While the treatment of arithmetic advised was not modern, the report insisted upon rational methods. The schoolmaster was advised to "illustrate all you say by easy and familiar examples, taking care to make yourself perfectly intelligible, not merely contenting yourself with having explained what you teach so that an expert mathematician shall be able to comprehend your meaning, but so that the child to whom you speak may understand you."

President Manning's Plan.—Almost six years later, June 6, 1791, a petition for the appointment of a sufficient number of schoolmasters to instruct all the children in the town at the public expense was referred to the school committee with direction to report at an adjournment of the meeting to June 13. The committee being unable to report, a second adjournment

* One of the pamphlets is in the Rider collection, Brown University.
† A fac-simile is in the John Carter Brown Library, Brown University.

was taken to August 1, 1791, when a report written by President Manning of Rhode Island College, chairman of the school committee, who had died suddenly one week before the meeting, was presented. The committee recommended the purchase of the proprietors' interests in the Brick schoolhouse and Whipple Hall, and the erection of two new schoolhouses, one on the west side of the river, and the other at the lower end of the east side. A master and assistants were to be provided for each school, as necessary, to provide for the attendance estimated by the committee on the basis of an enumeration which placed the number of white males under 16 years of age in Providence in 1790 at 1256. The committee asked liberty to resign and recommended that the freemen choose a school committee annually to manage the schools. Inasmuch as the Society of Friends had a convenient schoolroom of their own and chose to educate their children under the tuition of their own members, the committee recommended that the town pay to the Society of Friends a share of the public school money based on the proportion which the scholars in the school of the Friends bore to the whole number educated out of the town's fund, the school committee having the right of inspection and advice. The report was adopted by the town meeting, except as to the resignation of the school committee, which was continued in office without change. The town council failed, however, to carry into effect the vote of the town meeting. Writing in 1876,* Rev. E. M. Stone attributed the failure of this plan to vigorous opposition to the provision for public aid to a sectarian or parochial school; but his conclusion seems scarcely warranted by the facts. The plan was endorsed in town meeting in 1791, and essentially the same plan was ap-

*Stone was writing contemporaneously with a legislative investigation of the subject of tax exemption affecting parochial schools. One who reads his discussion of the movement of 1791, with full knowledge of the factors affecting public opinion in 1875-6, readily can understand that the reverend gentleman's opinion might be influenced and his paragraph emphasized by his own view of the merits of the controversy of 1875-6. For Stone's comment see Stockwell's *History of Public Education in Rhode Island*. For a record of the tax exemption controversy, see Chapter VII, School Finance.

proved in town meeting in 1795, when it again failed to function. The fundamental error in the plan was the omission of provision for an appropriation, or for a tax for school purposes, or some other provision for adequate support of schools. The votes in town meeting had the weight of resolutions addressed to the town council rather than ordinances.

The Brick schoolhouse was repaired in 1794 by agreement with the proprietors. There were, according to Chace's map, five schoolhouses in the town of Providence in 1798: The Brick schoolhouse, on Meeting street, near the Friends' Meeting House; Whipple Hall, near the northerly end of Benefit street; Neighbors' school, on the southerly side of George street, close to what is now Magee street; Neighbors' school, on the west side of the river, at the corner of what are now Mathewson and Chapel streets; and John Dexter's, or Sheldon's school, on the lower east side, near Benefit street.

Until almost the end of the eighteenth century agitation for public education in Providence was largely the work of the clergy, the learned professions, the wealthy, and representatives of the rising commercial interest and of the college. Witness the school committee of 1785: Rev. President Manning, Rev. Enos Hitchcock, Rev. Joseph Snow, Rev. Thomas Fitch Oliver, Hon. Jabez Bowen, Esq., Dr. Thomas Truman, Nicholas Brown, Esq., John Innis Clarke, Esq., and Moses Brown. Of this number and associated with them were many men who had become members of the existing school societies. Moses Brown lamented, in 1768, the apathy, indifference and opposition of citizens of the poorer classes, which defeated the movement for free schools in that year. Success ultimately crowned the efforts of a combination of the wealthy and educated classes with the more enterprising mechanics of the town. A man and an organization supplied the stimulus. The successful movement was largely created by the man; the organization became his accessory before the fact, and the wealthy and professional classes joined freely in promoting his enterprise.

Enter John Howland.—Home from the war marched a soldier boy. Not yet 20 years old, he had been with Washington at Trenton. Ragged, but probably not unkempt—his vocation forbade that; almost barefooted, weary and hungry, he trudged along over the country roads from New York, through Connecticut; for the Continental Congress was in dire straits for money and could not furnish transportation for soldiers discharged from the service. His narrative of his journey home arouses patriotism, makes the throat gulp, grips the heart and sends thrills of emotion through every muscle and fibre. Lexington, Bunker Hill, Trenton, Saratoga and Yorktown, brilliant as they were, yield place to Valley Forge in glory. The sacrifices of the American patriots are more inspiring than their military successes.

The soldier boy was John Howland, a barber. Born in Newport in 1757, he was apprenticed to a hair-dresser in Providence when 13 years of age. He joined the Continental army when 18. His shop in Providence became, after the war, a resort for the leading townsmen; but he retained always his associations with the mechanics and more humble tradesmen. He rose to be Town Treasurer, member of the school committee for a generation, President of the Rhode Island Historical Society, President and Treasurer of the Providence Institution for Savings. He led the movement which established free public schools in Providence, and he lived to see the system spread throughout the state. *This was the man.*

The organization was the Providence Association of Mechanics and Manufacturers, founded February 27, 1789, "for the promotion of home manufactures, the cementing of the mechanic industry and for raising a fund to support the distressed." John Howland became an active member of the association and an earnest advocate of free schools. He urged upon the association the importance of public education as a means of improving their condition; he was a frequent con-

tributor to the public press as well, always advocating schools free for everybody. In 1798 he was appointed a member of a committee of the association to "inquire into the most desirable method for the establishment of free schools." He wrote for the association a petition for free schools, which was presented to the General Assembly in 1799. He drafted the resolutions through which the town of Providence, in an advisory referendum, instructed its representatives in the General Assembly to support the petition. He rallied influential members of the General Assembly to his cause, and secured the enactment of a state free school law in 1800.

Providence Acts.—The freemen of Providence, in town meeting, on April 16, 1800, appointed James Burrill, Jr., John Corlis, Richard Jackson, Jr., John Carlile, Joel Metcalf, William Richmond and John Howland a committee to draw up and report a plan for carrying the act of 1800 into effect. The committee reported the four-schoolhouse plan, familiar to the town of Providence since 1767—Whipple Hall and the Brick schoolhouse to be purchased, and two new schoolhouses to be built, one on the west side of the river, and the other on the lower east side. The committee also advised the appointment of four schoolmasters, at an annual salary of \$500 each, and so many assistants as should be found necessary; that the town be one district for school management, and that a tax of \$4000 be imposed, to be appropriated exclusively to the erection and support of free schools. An attempt to defeat the plan by presenting an amendment raising the amount of the tax to \$6000, was frustrated by Howland's acceptance of the amendment and the speedy taking of a vote. Otherwise than that the amount of the appropriation was increased, the plan was adopted as presented, and the town council prepared to carry it into execution in compliance with the act of the General Assembly.

Two new schoolhouses, on what are now Transit street and Claverick street, were ordered built by ordinance of May 15,

1800, "like the new schoolhouse on George street." The dimensions were 50x30 feet, two stories high, but only the lower story was to be finished. Sixty double desks for each schoolhouse were ordered. Subsequently it was voted to construct the schoolhouses of brick, at a cost of \$2097 each. A fifth schoolhouse, of stone, one story high, was erected in 1819, at Summer and Pond streets.

The town council called the town school committee into conference October 13, 1800, "for the purpose of advising and consulting with the council relative to said public schools." A sub-committee, consisting of Rev. Enos Hitchcock, President Maxcy of Rhode Island College, Joseph Jenckes and John Howland, was appointed to draft rules and regulations for the discipline and government of the schools, but this work fell ultimately to John Howland.

The regulations provided for keeping school all the year around, six hours a day from October to April, and six and one-half hours a day from April to October. Scholars were "excused from attending on Saturdays, on Christmas Day, on the Fourth of July, on public fasts and thanksgivings, on Tuesday, Wednesday and Thursday of Commencement week, on the day succeeding each quarterly visitation, on the last Monday in April, and on the regimental training day in October." The principal part of the instruction was to "consist in teaching spelling, accenting and reading in both prose and verse with propriety and accuracy, and a general knowledge of English grammar and composition; also in writing a good hand according to the most approved rules, and arithmetic through all the previous rules, and vulgar and decimal fractions, including tret and tare, fellowship, exchange, interest, etc." The scholars were to be graded, but boys and girls were not to be heard in the same class. The town was districted, but only for the purpose of determining the school that children in various parts of the town should attend.

Additional rules and regulations, adopted October 24, 1800, display an enlightenment in matters of school discipline remarkable for the period. These rules "recommended to the schoolmasters that, as far as practicable, they exclude corporal punishment from the schools, and in particular that they never inflict it on females; that they inculcate upon the scholars the propriety of good behavior during their absence from school; that they consider themselves in the place of parents to the children under their care, and endeavor to convince them by their treatment, that they feel a parental affection for them; that they never make dismissal from school at an earlier hour than usual a reward for attention or diligence, but endeavor to lead the children to consider being at school a privilege, and dismissal from it as a punishment; that they never authorize one scholar to inflict any corporal punishment on another;* that they endeavor to impress the minds of their pupils with a sense of the being and providence of God, and the obligation they are under to love and reverence Him, their duty to their parents and masters, the beauty and excellence of truth, justice and mutual love, tenderness to brute creatures, the happy tendency of self-government and obedience to the dictates of reason and religion, the observance of the Sabbath as a sacred institution; the duty which they owe to their country, and the necessity of strict obedience to its laws; and that they caution them against the prevailing vices."

Free Schools Opened.—The schools were opened October 27, 1800, with 988 pupils, 180 at Whipple Hall, 230 at the Brick schoolhouse, 240 at the Transit street school, and 338 at Claverick street. After November 1, 1800, five ushers, at \$200 per year, were appointed, two for the west side school, and one each for the other schools. The salaries of ushers were raised to \$250 each in 1818. On March 27, 1801, Henrietta Downer and her

*A practice of the period.

sister were permitted to improve the upper story of the Transit street schoolhouse for a school for small children, "provided that they are at the expense of the glass that may be broken in consequence thereof." Lucilla Downer received permission to keep a summer school in the same building in 1804, on the same condition.

Ink was ordered supplied at the expense of the town in 1800, but in 1803 the order was countermanded, and thereafter scholars must provide their own ink, or pay the master for it if supplied in school. In February, 1804, the town council which was the body actually in control of the schools, the school committee having merely visitorial and advisory powers, voted: "Whereas many inconveniences arise in the public schools by reason that many of the scholars attend therein without having the necessary books: Decreed, therefore, that the several masters receive no scholars into the same unless they are severally furnished with such books as are studied in the several classes to which such scholar belongs; and furthermore, that all such scholars whose parents or guardians may not be able to furnish them with the necessary books as aforesaid, the parents or guardians of such children are requested to report the same to this council, and the kind and number of books wanted." The clerk of the council was ordered, on February 22, 1804, to purchase "half a dozen of Testaments, half a dozen English readers and half a dozen Alden's Spelling Books, 1st part, for the use of such scholars at the public schools whose parents or guardians are not sufficiently able to provide their children with the same." In 1818 John Dexter, schoolmaster, was authorized to procure books for his indigent scholars. The textbook question was troublesome and continued to be so; the council dealt with it only as occasion required. Scholars were taxed for fuel, the task of collecting this assessment proving irksome for schoolmasters. On February 28, 1804, the scholars in the west side schoolhouse, where two schools were kept, were

ordered taxed "for wood consumed in the same and for replacing of all windows that may be broken." The council found it inexpedient to attempt to divide the cost of fuel betwixt the two schoolrooms, or to investigate and determine responsibility for every pane of glass broken. Such were the taxes assessed on scholars in free schools; only tuition was free.

The town council continued to be the controlling administrative body until 1827. No existing record has been found of a meeting of the school committee as a distinct body earlier than October 14, 1813, when sub-committees in charge of the several schools, and a committee on rules and regulations were appointed. The quarterly visitation required by the rules and regulations of 1800 was made by the town council and school committee jointly. In October, 1816, the town council and school committee voted to place the schools in the interim between quarterly visitations under the supervision of clergymen, one being named for each school building. This was the beginning of professional supervision in Providence; it developed in 1839, into the appointment of the first superintendent of schools in America. The inhabitants of the west side district having protested, in 1821, against the appointment of a schoolmaster, the town council resolved that the school committee's participation in the appointment was illegal, and thereupon itself chose another schoolmaster. The incident was significant, as it clearly indicated the relations of school committee and council, and the custodian of the power to control. The freemen in 1827 surrendered to the council the right to elect the school committee, and the council elected a committee of 36 members, headed by President Wayland of Brown University. This committee immediately assumed actual control of the schools. The long-standing controversy between council and school committee opened at a later date; the details of the struggle are told in the chapter on "School Administration."

"A committee for the purpose of examining into the qualifications of candidates for preceptorships of the public schools" was appointed by the town council in April, 1813. The privilege of selecting ushers, sometimes exercised by the schoolmasters, was curtailed in 1815 by a resolution "that in future no person be employed as usher in any of the public schools in this town except they have undergone a previous examination of the sub-committee of said respective school, and such committee's approbation obtained; and that in future no person shall presume to act as an usher in any of the public schools in this town without first having been presented by the preceptor and appointed by this council, and that no person acting as usher in any of the public schools, without being so presented and appointed, shall be entitled to pay for his services." Thus the council assumed the appointive power and the power to determine qualifications.

In 1819 the council received and ordered a hearing on a petition praying for the dismissal of the master of the west side school. The petitioners were "willing to allow" that "the preceptor is a gentleman of strict and upright moral principles, and that he labors in the duties of his station with the best of motives; yet they are sorry to say the success of his labors has not been commensurate with the wishes and reasonable expectations of the parents and guardians of his scholars." The alleged failure to succeed, in the opinion of the petitioners, was caused by, "First, a deficiency in literary attainments; and, second, a deficiency of wholesome and vigorous government." The master was, in the opinion of the petitioners, "and (what is of itself ruinous to the school), in the opinion of the older scholars, very ignorant of geography, grammar and arithmetick." Curiously enough, this was the same schoolmaster who in 1820 reported that he had found no current textbook in grammar satisfactory, and that he had distributed to his pupils a grammar of his own composition. The petitioners also com-

plained that "the government of the school is deficient. . . . The government of a numerous school is a task of difficulty. It should be maintained by a systematick and steady perseverance, which will render severe examples unnecessary." Friends of the schoolmaster presented a counter-petition praying for his retention, and the council probably decided to allow it, though there is no record of a vote. A second petition by the opponents of the schoolmaster was presented to the council January 27, 1820, which then and there voted "that the petitioners have liberty to withdraw the said petitions." Still another complaint against the same master was dismissed in 1821, but the master then gave notice of his resignation. The council harkened to the demands of the inhabitants of one of the districts in the instance already related as occurring in 1821, when an appointment by the council and school committee jointly was revoked.

The textbooks adopted for the schools in 1800 were Alden's Spelling Book, first and second parts; the Young Ladies' Accidence, a grammar, by Caleb Bingham; the American Preceptor, Morse's Geography Abridged, the Holy Bible, and an arithmetic to be agreed upon by the masters. Daboll's Arithmetic was in general use in 1820. A committee on rules and regulations, in 1820, requested schoolmasters to report their methods of conducting schools, school programmes, textbooks used, and suggestions for improving the schools. The masters' reports showed a variation in curricula, school programmes and even in textbooks. One master recommended uniform textbooks; one, that all pupils be required to have books; one, that the fuel tax be abolished. The emphasis placed upon reading, writing, arithmetic and spelling appeared in every report so clearly that there is no mistaking the principal aim of the early public schools. The committee selected a list of textbooks to be used, as follows: Alden's Spelling Book, first and second parts; New Testament, American Preceptor,

Murray's Sequel to the English Reader, Murray's Abridgement of English Grammar and Daboll's Arithmetic. As a standard for pronunciation John Walker's Critical Pronouncing Dictionary was adopted. The teaching of composition was excluded, but punctuation and the "latest letters" were added to the uniform curriculum. Geography was dropped, but was restored in 1822. The committee condemned the introduction of new studies, thus: "The committee are convinced that much evil has resulted to the schools from the introduction of too many branches of instruction, but more particularly those which are termed the higher branches. These can be taught effectually only by means of a well-digested and an increased expensive system of instruction, requiring a more constant and exclusive attention of preceptor and scholar than is consistent with the original designs of our public schools." There was sound common sense in the committee's comment, so far as it was a criticism of the prevailing system of instruction. No schoolmaster could do justice to an extended curriculum, or even to a very limited curriculum, while the number of pupils under his charge averaged close to 100, allowing one master and one usher for 200 pupils. That was the "original design" and the surviving, prevailing notion of the public school of the period. President Francis Wayland, as chairman of the school committee of 1828, recommended introduction of the monitorial system as the most practicable method of instructing classes which must continue to number from 100 to 150 pupils. But the time was to come when the people would demand and support a better type of school, in which there would be ample opportunity for instruction in the higher branches. In justice to President Wayland it should be noted here that he recommended the establishment of a high school in Providence in 1828.

The first public school under a woman teacher was opened in April, 1827, on the west side, with Miss Carr in charge. It was for children from five to eight years of age. Previously six

years had been the minimum age for admission to the public schools.

Recapitulation.—Recapitulating briefly, the free public schools in Providence were housed in substantial buildings owned by the town, which also furnished free instruction. The total cost for free instruction (after 1818) was \$3750 annually, for five schoolmasters and five ushers. Scholars were taxed for fuel and ink, and must furnish their own books and supplies, except when unable to do so; the town was parsimonious in providing free textbooks for poor children. Schools were kept the year around, five days a week, six hours a day. Teachers were handicapped by large classes; the monitorial system was not in vogue. Instruction as a rule was confined to reading, writing, spelling, arithmetic and grammar. The schools were administered by the town council.

Wanting standards and accurate measurements, it is impossible to estimate the efficiency of the free public schools of Providence in the first quarter-century. A fact that indicates a popular estimate unfavorable to the schools was the absence of growth in attendance commensurate with the increase in population. Three attendance reports are condensed in the following table:

	1800.	JAN. 27, 1820.			OCT. 25, 1820.		
	Total.	Girls.	Boys.	Total.	Girls.	Boys.	Total.
First District.....	180	80	80	160	62	59	121
Second District.....	230	102	117	219	69	97	166
Third District.....	240	60	112	172	36	108	144
Fourth District.....	338	62	104	166	82	111	193
Fifth District.....	.....	88	128	216	60	76	136
Totals.....	988	392	541	933	309	451	760

The table shows a better attendance record in winter than in summer, the dates being quarterly visitation days at the end of

quarters. Boys exceeded girls from almost 40 to 50 per cent. The average attendance for the whole year was 830 in 1819, 846 in 1820, 796 in 1821, 845 in 1822, 812 in 1823, 852 in 1824, 806 in 1825, 744 in 1826, 886 in 1827, 1000 in 1828. The population of Providence was 7614 in 1800, 10,071 in 1810, 11,767 in 1820, 16,836 in 1830. The gain in average attendance in 1828 was due to a reorganization of the school system undertaken in that year.

Besides the public schools, there were six academies and 80 or 90 private schools in Providence in 1828. The amount paid for tuition in private schools was estimated at \$15,000, or four times the town's annual expenditure for teachers' salaries.

RICHMOND, SCITUATE AND SMITHFIELD.

Richmond was incorporated in 1747. No schoolhouse is known to have been built in Richmond earlier than 1806. In that year Caleb Barber erected a stone building, which was called Barber's Academy, and Amos Lillibridge, George Perry, David Kenyon and Sprague Kenyon built another schoolhouse. The latter was destroyed by fire in 1825. Other schoolhouses were built as follows: About 1810, by Judge William James; in 1812, Clark's schoolhouse, near Stanton's Corners, and the Kenyon schoolhouse, built by Samuel, Silas, Benedict and Cory Kenyon; in 1826, the Bell schoolhouse. In these houses schools were kept from year to year. The town did nothing to aid public education. The General Assembly in 1825 granted a lottery to build a schoolhouse in Richmond. There were three schoolhouses in Richmond in 1819, and other schools were kept in other buildings in the town.

Scituate was set off from Providence in 1730; Foster was taken from Scituate in 1781. The Union Schoolhouse Company of Scituate was chartered in 1808; Scituate and Foster Academy in 1817. There were seven schoolhouses and two libraries in Scituate in 1819, and ten schoolhouses in 1828.

Smithfield, as incorporated in 1730, comprised the territory now included in Smithfield, North Smithfield, Lincoln, Central Falls and western Woonsocket. Tradition relates the building of schoolhouses at Greenville, in the Angell district, at Allendale and Stillwater earlier than 1776, but no records to verify the dates assigned have been found. Other schoolhouses were built, in the Dexter district, in 1816; by Philip Allen, in 1820; by S. A. Nightingale, in 1820. The last-mentioned schoolhouse was rebuilt in 1827. Smithfield was settled by Friends, who established a free school for children of their own denomination in 1777. This was the migratory school mentioned in Chapter I. Smithfield was one of the few towns in Rhode Island which undertook to provide free schools under the state law of 1800.* In 1799 Philip Mowry, William Buffum, Joel Aldrich, Elisha Aldrich, Duty Winsor, Edward Medbury and John Jenckes, 3d, were appointed a committee to examine and report on the free school act, then pending before the General Assembly. The general opinion in Smithfield at that time was hostile to the act, because it was believed to be better suited to the coast and compact towns than to rural towns like Smithfield. Nevertheless, the committee report was favorable, and in 1800 and 1801 Smithfield appropriated \$1000 each year for the support of free schools. Again in 1802 an appropriation was made, but at a special town meeting in September, 1802, the vote was rescinded, as it is chronicled, by votes of the backwoodsmen. Twenty-four district schools had shared in the distribution of the appropriations. Smithfield School Society was chartered in 1808, and Woonsocket Public School in 1810. The Smithfield Female School Society for some years about 1820 maintained a free school for poor children; in 1819 this school had 47 pupils. The members of the society contributed 50 cents apiece a year for support of the school, which was kept only in

*The statement in the author's "School Law of R. I.," 1914, p. 9, that Providence was the only town that complied with the act of 1800, needs correction.

the summer months. Of academies Smithfield had three in early times. From some time subsequent to his marriage, in 1773, for 20 years Elisha Thornton kept an academy at Slatersville. In 1808 the General Assembly chartered Smithfield Academy Society, and in 1810 granted it a lottery. The academy continued until 1853. Greene Academy in Smithfield was chartered in 1812, with a lottery. The schoolhouse was surrendered to the district in 1843, and the academy became a district school. Twenty schools were kept in Smithfield in 1819. In 1828 the townspeople supported two academies and 19 schools; there were then 13 schoolhouses in Smithfield.

SOUTH KINGSTOWN, TIVERTON AND WARREN.

South Kingstown was incorporated in 1722. Little is known of early schools in the town, which occupied a rich farming country, dotted with scattered plantations. In 1801 the General Assembly granted a lottery to build an academy in South Kingstown. Samuel Sewall of Boston, in 1695, conveyed 50 acres of land at Pettaquamscutt in special trust "for the procuring, settling and supporting and maintaining a learned, sober and orthodox person, from time to time and at all times forever hereafter, to instruct the children and youth as well of English there settled, or to be settled, as Indians, the aboriginal natives of the place, to read and write the English language and the rules of grammar." In 1781 a schoolhouse was built on Tower Hill, pursuant to the grant, and in 1819 the academy was removed to Kingston. The General Assembly, in 1823, incorporated the academy as Pettaquamscutt Academy, but the name was changed to Kingston Academy in 1826. The academy lost control of the Sewall foundation in 1840; it survived, through a somewhat precarious existence, until 1863. Four schools were kept in South Kingstown in 1819; in 1828 there were, besides the academy, seven schoolhouses, in which schools were kept winter and summer.

Tiverton was one of the five towns transferred to Rhode Island in 1747. The town appointed a committee in 1799 to consider the proposed free school act, but no action was taken to carry the act into effect. There were 10 schoolhouses in Tiverton in 1828, in which schools were kept regularly, and a few other small schools

Warren was part of Swansea, Massachusetts, until 1747, and included Barrington until 1770. Of early schools in what is now Warren, no record has been found. The Liberal School Society of Warren was incorporated in 1791. The General Assembly in 1803 granted a lottery to aid Warren Academy. The town had one schoolhouse and the academy in 1819. The Warren Female Charitable Society furnished relief for the poor and instruction for poor children. Warren had three quasi-public schools, one private school and an academy in 1828.

WARWICK, WESTERLY AND WEST GREENWICH.

Warwick citizens obtained three charters for school societies in the ten years from 1794 to 1804. These were the Warwick North School Society, incorporated in 1794; the Warwick West School Society, 1803, and the Warwick Central School Society, 1804. A schoolhouse was built in 1798 one mile east from what is now Crompton on land given by Judge Stephen Arnold; this schoolhouse was removed in 1828 across the road to land owned by Waterman Clapp. It housed a tuition school, which served the village of Crompton and the surrounding country. The first teacher was James Pollard, an Englishman. The school was continued for a few years after 1828, and the house was then altered into a dwelling. It was blown down about 1865. Other schools were kept in rooms at various places in Crompton after 1810, but there was no other building in Crompton devoted exclusively to school purposes until 1845. A schoolhouse was built at Centreville in 1803, though schools had been kept in the village previously. This was the school-

house of the Warwick West School Society. Early teachers were Joseph B. Pettis, Samuel Greene, Sabin Lewis and Oliver Johnson. Miss Amey Gorton taught school in Phenix as early as 1818, but no school building was constructed there earlier than 1827, when the Lippitt and Phenix Sabbath School Society was chartered and built a schoolhouse. Schools were kept in a store in Lippitt some time previous. The Phenix schoolhouse was sold to the school district in 1847. All these schools and schoolhouses were in the western section of Warwick, in or close to the mill villages along the banks of the Pawtuxet river. The General Assembly, in 1823, granted a lottery to inhabitants of Old Warwick to erect houses of worship and for the education of youth. There were seven schoolhouses in Warwick in 1828; ten winter schools were kept by men, and six summer schools by women.

Westerly school history earlier than 1828 is largely a matter of tradition. Some time about 1800 what was known as the Red schoolhouse was erected, though there are stories of schoolmasters, particularly a Mr. Slattery, at an earlier period. Pawcatuck Academy was chartered in 1800, and Union Academy in 1816. In 1828, besides the two academies, *Westerly* had six schoolhouses, in which schools were kept regularly the year around.

West Greenwich had two schoolhouses in 1828. Both had been built by subscription. Eleven schools were kept three months in the winter, and three of the eleven nearly the year around.

TWO SURVEYS.

The General Assembly, in 1821, appointed a committee to inquire into the state of education in the several towns of the state, with instructions to report at the October session. The committee did not report. Two attempts to collect school statistics for the state, systematically, were made before 1830,

one in 1819 by the Rhode Island Register, and the other in 1828 by the Rhode Island American and Gazette. Information for the statistics of 1819 was obtained by inquiries directed to the town clerks; several failed to make returns, and the list of towns was, therefore, incomplete. The second estimate was based upon "statements gathered from the Representatives of the towns named,* the general correctness of which may be relied upon, though the statement is not as full as could be wished," according to the American and Gazette. The newspaper subsequently corrected its first statement with reference to Scituate

The information collected by the Register and by the American and Gazette was not presented in tabular form. In the Register the school statistics for each town reporting were printed in a paragraph following a directory of the town's officers. The American and Gazette devoted a paragraph to each town, including with school statistics the town's population according to the census of 1820. Both surveys are presented here, condensed in the form of a table. The census figures for 1820 are placed with the statistics for 1819, and the census figures for 1830 have been added for purposes of comparison, as more nearly representing conditions in 1828 than the older census figures. The blanks under 1819 indicate that no information was obtained by the Register rather than that there were no schools. In both surveys figures that were obviously incorrect have been corrected, but the departures from the original figures, and figures supplied from other sources for the survey of 1819, are indicated by bold type. Under 1820, whole-year schools are carried exclusively in that column; that is to say, a whole-year school is not listed also as a summer and as a winter school.

The table, which appears upon page 75, shows the number of schools kept and academies in the several towns in 1819, and

*Presumably attending the General Assembly.

the population in 1820; the number of schoolhouses, whole-year schools, winter schools, summer schools, the total number of schools and the number of academies in each town in 1828, and the population in 1830. The figures for 1819, with few exceptions, are from the Rhode Island Register; those for 1828 are from the American and Gazette.

Unfortunately the figures in the two surveys are not based upon exactly similar sources of information, and only the most general comparisons are warranted. These facts stand out clearly, however :

No town reporting in 1819 was without schools.

No Rhode Island town was without schools in 1828.

There were 193 schoolhouses in the state in 1828.

The number of schools kept in 1828, 294, exceeded the number kept in 1819 by 100, a gain of more than 50 per cent. Population in approximately the same period increased only 16 per cent.

Education was a "lively experiment" in Rhode Island.

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RHODE ISLAND SCHOOL STATISTICS, 1819 AND 1828.

	Schools, 1819.	Academies, 1819.	Population, 1820.	Schoolhouses, 1828.	SCHOOLS, 1828.				Academies, 1828.	Population, 1830.
					Whole year.	Winter.	Summer.	Total.		
Barrington.....	2	0	634	3	3	0	0	3	0	612
Bristol.....	8	1	3,197	3	7	5	0	12	1	3,034
Burrillville.....	10	0	2,164	11	1	11	0	12	0	2,196
Charlestown.....	10	0	1,160	1	0	6	3	9	0	1,284
Coventry.....	8	0	3,139	10	0	14	7	21	0	3,851
Cranston.....	6	0	2,227	11	16	0	0	16	0	2,652
Cumberland.....	9	0	2,653	13	13	0	0	13	0	3,657
East Greenwich.....	1	1	1,519	5	0	7	3	10	1	1,591
Exeter.....	2	0	2,581	3	0	3	0	3	0	1,383
Foster.....	11	0	2,900	15	15	0	0	15	0	2,672
Glocester.....	12	0	2,504	11	0	15	0	15	0	2,521
Hopkinton.....	6	0	1,821	9	3	6	0	9	0	1,777
Jamestown.....	2-3	0	448	3	1	2	0	3	0	415
Johnston.....	7	0	1,542	5	0	6	3	9	0	2,115
Little Compton.....	7	0	1,580	8	8	0	0	8	0	1,378
Middletown.....	5	0	949	5	5	0	0	5	0	915
Newport.....	...	...	7,391	2	2	0	0	2	0	8,010
New Shoreham.....	...	...	955	1	4	0	0	4	0	1,185
North Kingstown.....	12	1	3,007	1	3	3	0	6	1	3,036
North Providence.....	8	2	2,420	7	11	0	0	11	1	3,503
Portsmouth.....	7	0	1,645	4	4	0	0	4	0	1,727
Providence.....	14	2	11,767	5	8	0	0	8	6	16,836
Richmond.....	3	0	1,423	2	2	0	0	2	0	1,363
Scituate.....	7	0	2,834	10	...	...	...	10	0	3,993
Smithfield.....	20	2	4,678	11	17	0	0	17	2	6,857
South Kingstown.....	4	1	3,723	7	7	0	0	7	1	3,663
Tiverton.....	...	...	2,875	10	10	0	0	10	0	2,905
Warren.....	1	1	1,806	4	12	5	0	17	1	1,800
Warwick.....	10	0	3,643	5	6	7	3	16	0	5,529
Westerly.....	...	2	1,972	6	6	0	0	6	2	1,915
West Greenwich.....	...	...	1,927	2	3	8	0	11	0	1,817
Totals.....	192	13	83,059	193	167	98	19	294	16	97,210

The sixteen schools kept in Cranston in 1828 were not kept regularly.
Whole-year schools in Foster, Little Compton, Middletown and Portsmouth were not kept regularly in summer.
The Newport report covers only public schools. The American omitted the Potter school.
The report for North Kingstown, 1828, probably is wrong.
Not full time schools.
Only public schools and academies are listed in 1828. The estimate of 9 private schools in 1819 is too small; it included probably only well-organized schools occupying buildings of their own. In 1821 there were 44 schools in Providence kept by women. In 1828 there were 80 or 90 private schools in Providence. The American estimated \$15,000 as the amount paid for private tuition.
The totals for 1828 include 10 Scituate schools not classified.

Commenting on its survey, the *American and Gazette* of January 18, 1828, said: "We refer to an article on the outer page showing the present state of education in Rhode Island. Probably there are some errors in it, though great pains have been taken in making it as accurate as possible. For instance, we are informed that there are ten, instead of five, schoolhouses in the town of Scituate. Should there be any other similar errors we should be much obliged to the Representatives, or anyone who would point them out. A statement like this is worth preserving, and would be a curious document if published 20 years hence, when we shall have free schools in every district in the state. We have another reason for publishing this statement—to show our sister states that there is by no means an indifference to the subject of education in this state. The greatest deficit is the want of a regular, well-digested system, an extension of the present means of education, and an equalization of its burdens." The information is even more impressive nearly 90 years after it was first printed than after the lapse of only a generation. It demonstrates beyond a doubt that Rhode Island was not indifferent to education in 1828. The survey for 1819 shows that the progress recorded in 1828 was not a sudden growth.

Providence and Newport had established free public schools before 1828. Bristol supported public schools by an annual appropriation of money derived in part from the income of school property held in trust, and in part from taxes levied in the form of license fees. In Portsmouth and Middletown school buildings occupied town land, and schools were supported in part from the income of town land. Smithfield had maintained free schools for a brief period. Education was not entirely a private concern in other towns. Almost every town in the state had two or more schoolhouses erected by companies of proprietors and supported by subscription and tuition. These schools scarcely could be, and were not, generally, classed

as private schools. For the most part they were community schools, in the sense that the inhabitants of a village or district co-operated to supply a common school for their children.

The great movement for exclusively public support of schools, for equalization of the burden of school support—the movement that finally placed the burden upon taxable wealth, assessed whether the taxpayer had children or not, or whether his children attended public or private schools—in short the movement that made education a public instead of a private undertaking and concern, was well underway in 1828. In that year the state became an active participant in the movement for public support of education.

THE STATE AND EDUCATION.

Previous to 1800 the state's assistance to education was confined to exempting school property from taxation, to granting charters of incorporation for institutions of learning and to granting lotteries to assist in building or maintenance. The Providence Association of Mechanics and Manufacturers, in 1799, presented its petition to the General Assembly, asking for the establishment by law of free schools throughout the commonwealth. The petition, drawn, as already related, by John Howland, declared that for want of public attention and encouragement in providing schools an essential part of the *social duty of the state* had been neglected—thus reaching the most liberal modern conception of the state's relation to education. Let John Howland speak for himself:

A Petition for Free Schools.—"To the Honorable General Assembly of the State of Rhode Island and Providence Plantations, to be holden at Greenwich, on the last Monday of February, A. D. 1799:

"The Memorial and Petition of the Providence Association of Mechanics and Manufacturers respectfully presents—

"That the means of education which are enjoyed in this state are very inadequate to a purpose so highly important.

"That numbers of the rising generation whom nature has liberally endowed, are suffered to grow up in ignorance, when a common education would qualify them to act their parts in life with advantage to the public and reputation to themselves.

"That in consequence of there being no legal provision for the establishment of schools, and for want of public attention and encouragement, this so essential part of our social duty is left to the partial patronage of individuals, whose cares do not extend beyond the limits of their own families, while numbers in every part of the state are deprived of a privilege which it is the common right of every child to enjoy.

"That when to that respect which as individuals we feel ourselves bound to render to the representatives of the people we add our public declaration of gratitude for the privilege we enjoy as a corporate body, we at the same time solicit this Honorable Assembly to make legal provision for the establishment of free schools sufficient to educate all the children in the several towns throughout the state; with great confidence we bring this, our earnest solicitation before this Honorable Assembly, from the interest we feel in the public welfare and from the consideration that our society is composed of members not originally of any one particular town, but assembled mostly in our early years from almost every town in the state.

"That we feel as individuals the want of that education which we now ask to be bestowed on those who are to succeed us in life, and which is so essential in directing its common concerns. That we feel a still greater degree of confidence from the consideration that while we pray this Honorable Assembly to establish free schools, we are at the same time advocating the cause of the great majority of children throughout the state, and in particular of those who are poor and destitute—the son of the widow and the child of distress.

"Trusting that our occupations as mechanics and manufacturers ought not to prevent us from adding to these reasons an argument which cannot fail to operate on those to whom is committed the guardianship of the public welfare, and that is, liberty and security under a republican form of government depend on a general diffusion of knowledge among the people.

"In confiding this petition and the reasons which have dictated it to the wisdom of the Legislature we assure ourselves that their decision will be such as will reflect on this Honorable General Assembly the praise and the gratitude, not only of the youth of the present generation, but of thousands the date of whose existence has not commenced.

"Respectfully submitted by John Howland, Joel Metcalf, William Richmond, Peter Grinnell, Richard Anthony, Grindall Reynolds, Samuel Thurber, Jr., and Nathan Foster, committee."

A Favorable Report.—The petition was received and referred to a committee, which reported June 7, 1799, in part as follows:

“The committee to whom was referred the memorial of the Providence Association of Mechanics and Manufacturers, on the expediency of making provision by law for the support of free schools, respectfully report: That they have given to the subject the attention and consideration which its importance so justly demanded, and have prepared a bill which, with such alterations and amendments as the wisdom of the General Assembly may suggest, they recommend to have passed into a law.

“Your committee would beg leave to observe that no institutions of the kind proposed existing at present in the state, and the want of local divisions or parishes, of school committees and a system of school taxation, and especially superintendence, render the establishment more difficult than it may at first appear, and offer obstacles to the complete execution of it in the first trial which the committee hope may be overcome by time and experience. They have no doubt that actual experiment will show many defects in the act now recommended, but they believe it will at the same time suggest the proper remedies. In the operation of a novel and extensive system difficulties will arise which, though they may be reasonably apprehended, cannot at present be distinctly pointed out, and which the wisdom of the General Assembly will, from time to time, discover and remove. . . .

“The encouragement which the General Assembly can give to the wide diffusion of the means of education will, in the opinion of the committee, not only produce its proper and immediate consequence, but by exciting a spirit of exertion and liberality in the several towns and school districts, would exceed all present calculations in the important effect of informing, improving and moralizing the people.

“The attention which the subject of education has lately awakened in the people, and the paternal care of the General Assembly to gratify the wishes and remove the grievances of their constituents, excite in the committee a pleasing expectation that the period is not distant when this state may rival in knowledge and morals the most refined and enlightened in the nation.”

The report was signed by Moses Lippitt, Richard Jackson and James Burrill. With the report of the committee was a draft of a free school act drawn by James Burrill. Certain sections of the act follow:

The Act of 1800. —“Whereas the unexampled prosperity, unanimity and liberty for the enjoyment of which this nation is eminently distinguished among the nations of the earth are to be ascribed, next to the blessing of God, to the general diffusion of knowledge and information among the people, whereby they have been enabled to discern their true interests, to distinguish truth from error, to place their confidence in the true friends of the country, and to detect the falsehoods and misrepresentations of factious and crafty pretenders to patriotism, and this General Assembly being desirous to secure the continuance of the blessings aforesaid, and moreover to contribute to the greater equality of the people by the common and joint instruction and education of the whole—

“Be it enacted by the General Assembly and the authority thereof, and it is hereby enacted: That each and every town shall annually cause to be established and kept, at the expense of such town, one or more free schools for the instruction of all the white inhabitants of said town between the ages of six and twenty years in reading, writing and common arithmetic, who may stand in need of said instruction and apply therefor.

“2. And be it further Enacted: That it shall be the duty of the town council of every town to divide said town into so many school districts as they shall judge necessary and convenient, provided no town shall be divided into more than four such districts.

“3. And be it further Enacted: That each of the towns of Newport and Providence shall cause to be established and kept so many free schools and for such term as shall be equivalent to keep three schools eight months each; . . . South Kingstown, Glocester and Smithfield, three schools six months each; . . . Portsmouth, Tiverton, Little Compton, Scituate, Cumberland, Cranston, Johnston, Foster, Westerly, North Kingstown, Charlestown, Exeter, Richmond, Hopkinton, Bristol, Warwick, East Greenwich, West Greenwich and Coventry, three schools four months each; . . . Middletown, Johnston, New Shoreham, North Providence, Warren and Barrington, one school four months.”

Section 4 provided for remission to towns complying with the act of twenty per cent. of taxes paid by the town to the state; section 5, that money so remitted should be used exclusively for school support; section 6, for forfeiture by neglect to keep schools; section 7, for annual reports to the General Assembly. Section 8 permitted any school district at a meeting of freemen called for the purpose, seven freemen being a quorum, to assess a tax on ratable estates in the district for building, repairing or improving a schoolhouse or for extending the school term.

Section 9 required teachers to be citizens of the United States,* certificated by town councils. Section 10 made the town council in each town a school committee.

In the House of Representatives, June 12, 1799, it was "voted and resolved that 500 copies of the report of the committee on the expediency of establishing free schools, and of the bill for that purpose by them reported, be printed, and a copy of the same be delivered to each member of this House and of the Senate, and another copy transmitted by the members to the several town clerks, and that further consideration of the subject be referred to the next session." The Senate concurred June 14, 1799.

The Act Passed and Repealed.—The House of Representatives passed the bill at the October session, 1799, but the Senate postponed consideration to the next February session, when concurrence was unanimous. Providence immediately organized its first free schools under the act. Smithfield complied with the act for two years. Middletown claimed tax remission on account of a free school. Bristol probably could have qualified for tax remission. Otherwise the towns did not comply with the law; several protested. The act was repealed in 1803. Providence continued the free schools established under the act, in spite of its repeal.

The almost complete failure of the act of 1800 might have disheartened its proponents had they not accomplished one of their primary purposes—the establishment of free schools in Providence after 33 years of agitation. As it was, the vigorous opposition developed in the towns proved decisively that the movement for statewide public schools was premature. The General Assembly continued to charter academies and school societies, and to grant lotteries for educational purposes; citizens of the towns continued to organize, to build school-houses and subscribe for the maintenance of teachers. Interest

*The State Board of Education in 1917 added to the requirements for certification an oath or pledge of loyalty to the state and nation.

in education produced a wholesome growth of opportunities for schooling.

Governor Knight's Message.—Governor Nehemiah R. Knight, in a message to the General Assembly in October, 1818, recommended provision of public schools for youth employed in factories, thus :

“While the general Government protects and encourages agriculture, commerce and manufactures, the legislatures of the several states are the immediate guardians of the public morals and education; to them is more particularly entrusted the duty of providing for the cultivating and enlightening of the mind, a trust so essential in all good societies and especially so in a government where all power is vested in the people, and all the acts of the public functionaries are weighed and tested by public opinion. It is true that many persons have done much by establishing Sunday schools* in the neighborhood of the manufacturing villages of the state; but when we reflect how small a portion of time is appropriated to education by Sunday schools alone, we must be sensible that the acquirements of the youth who labor in these factories must be extremely limited. And it is a lamentable truth that too many of the rising generation who are obliged to labor in those works of almost unceasing application and industry, are growing up without an opportunity of obtaining that education which is necessary for their personal welfare, as well as the welfare of the whole community.

“I am well assured that a plan can be devised and carried into effect by the aid of the Legislature, and without any expense to the state, that shall educate them in a manner that will make them not only useful to their country, but also to themselves, and will enable them, not only to exercise the privileges of freemen, but be capable of estimating these blessings.”

A committee appointed to consider the recommendation reported that it was inexpedient to establish public schools for persons employed in manufacturing establishments.

A Committee That Did Not Report.—The General Assembly, on June 21, 1821, “voted and resolved that C. Ellery Robbins, Philip Allen, Nathaniel Bullock, Nathan F. Dixon and Charles Brayton, Esquires, be a committee to inquire into the state

*Early Rhode Island Sunday schools were devoted to secular education.

of education in the several towns of the state, and that they make their report to this General Assembly at the ensuing October session.

“Voted and resolved that the town clerks of the several towns be, and they are hereby, directed to make a correct return to the chairman of said committee of the number of schools in their respective towns, and the branches of learning taught therein; of the number of months of the year in which the schools are opened, the average expense of tuition for said schools, and the number of pupils attending the same, and they are further hereby directed to furnish to the chairman of said committee a correct statement of the number and condition of the several schoolhouses in their respective towns, specifying at whose expense they were built and at whose charge they are kept up, and generally such other information with respect to the public and private schools in the state as the committee may think fit to require. . . .”

The committee did not report. Exactly three years after the appointment of this committee, a constitutional convention, which met at Newport, adopted a proposed constitution, which the freemen did not ratify. The proposed constitution contained an article entitled “Education,” which provided for the accumulation of a permanent school fund, the income of which, when sufficient, was to be applied to the support of free schools in every town in the state.

Four years later the General Assembly enacted a general school law, providing an appropriation of \$5000 to and the accumulation of a permanent school fund, and the distribution of \$10,000 annually for the support of public schools in the several towns. The story of its enactment and the changes which it wrought in Rhode Island schools belongs in another chapter.

CHAPTER III.

ORGANIZATION OF A STATE SCHOOL SYSTEM.

The public press of Rhode Island has generally advocated schools and the extension of school facilities. Educational leaders and educational reformers usually have had the hearty support of editors. If, indeed, the finger of editorial criticism has pointed sometimes at schoolmen and school methods and school conditions, the purpose has been, almost without exception, to stimulate improvement by change; such criticism is wholesome and benign.

Cause and effect are difficult to unravel, so closely are they interwoven; who shall determine whether a newspaper has created public opinion, or has merely voiced public sentiment? The answer of philosophy is an attempt to reconcile the notion of a free idea with determinism, in the doctrine of pragmatism applied to social psychology. The newspaper is the voice of the group; when it fails to speak truly the opinion and feeling of the group, it wants adaptation and is doomed to failure. The test of truth-speaking lies in long-time perspective and accomplishment; for newspapers sometimes weather temporary storms aroused by unpropitious utterances. There was no serious opposition to the leadership assumed by the press of Rhode Island in 1827 and 1828. Consequently it is logical to conclude that the newspapers, which unanimously advocated state support of education, spoke for the people of Rhode Island. And this it is possible to do without detracting in any way from the credit due the Rhode Island American and

Gazette and its able editor, B. F. Hallett, for their part in fostering the movement which resulted in the general school legislation of 1828.

Reviewing earlier events briefly: A free school law enacted in 1800 was repealed in 1803. A committee of the General Assembly in 1818 reported as inexpedient Governor Knight's proposition to establish free schools for youth employed in factories. A committee of the General Assembly, appointed in 1821 to collect school statistics, failed to report. A constitution that provided for a permanent school fund was rejected by the freemen in 1824.

The General Assembly, in 1825, referred a proposed "act for the establishment of lotteries for the purpose of raising a fund for the support of free schools" to the next session.

The American and Gazette printed on October 16, 1827, and the Microcosm on October 19, 1827, repeated, an editorial which declared:

"No man who knows anything about the subject will deny that there are a less number of schools and vastly a less number of children engaged at school in this state than within the same extent and among an equal number of population in any state in New England. The consequence must be, unless it can be shown that learning is intuitive, that the youth of Rhode Island are not so well educated as the children in any other state, where free schools are established. . . ."

The editor modified his view subsequently. On January 18, 1828, he wrote: "There is a much larger number of school-houses erected than has been generally supposed, and but few additional ones will be required." In the interval he had come into possession of the *facts* concerning Rhode Island schools—facts neglected by those who have written the history of education in Rhode Island apologetically.

"It would be a fine opportunity, calmly and seriously, to take up the subject of free schools, and provide a fund from lottery patronage and other taxes or surplus revenue. There is on the

docket no business of great importance," said the American and Gazette on October 20, 1827.

A bill to raise a fund for public schools by lottery was included in the unfinished business at the October session, 1827. On October 30, 1827, Representatives Tillinghast of Providence, Lapham of Burrillville and Waterman of South Kingstown presented memorials urging free schools. These were referred to a committee, consisting of Representatives Tillinghast of Providence, Trevett of Newport, Howe of Bristol, Waterman of Warwick and Dixon of Westerly. Other memorials had been received from Smithfield, Cumberland, Johnston and East Greenwich.

Representative Waterman of Warwick presented a set of resolutions, as follows :

"Resolved, That it is highly expedient that a fund be created and established, to be denominated the school fund.

"Resolved, That it is expedient that the sum of —— dollars be appropriated out of the money now in the treasury to the object of the foregoing resolution.

"Resolved, That a committee be appointed, together with such as the Honorable Senate shall appoint, for the purpose of maturing and representing to each of the houses of the Assembly an act embodying the object of the foregoing."

The resolutions, which, if adopted, would have created a school fund, but, incidentally, would have defeated the movement for the establishment of free schools immediately, were tabled. Waterman was leader of the opposition to free schools; yet so strong was public sentiment he dared not venture openly to oppose what he probably realized was inevitable.

First Draft of the Act of 1828.—Representative Tillinghast, on Thursday, November 1, 1827, reported from committee a bill, which was read the first time. It provided that all money accruing to the state from lottery taxes and auction fees should be paid to the several towns at the ratio of taxation in 1824—not to exceed a blank sum in any year—the towns receiving their

proportion first erecting, at their own expense, or otherwise providing schoolhouses, not less than two in each town, and raising in such way as they thought proper an annual sum equal (or such proportion as may be determined when the act passes) to the sum received out of the general treasury, to be put in the hands of a free school committee of not less than seven nor more than twenty-one, who should have power to draw the town's portion from the state treasury, and to provide teachers and generally to superintend the schools in their respective towns. Towns neglecting to provide schools forfeited any right to participation in the distribution of state money, and money thus forfeited was to be added to the sum to be distributed by the state in the year following. The proposed act also appropriated a blank sum for a permanent school fund, to which was to be added all revenue from lotteries and auctions in excess of the sum annually distributed to the towns for school support. This bill was the first draft of the act of 1828; it made no further progress until the January session, 1828.

THE FIGHT FOR FREE PUBLIC SCHOOLS.

The American and Gazette in 1828, took up the fight for free schools in earnest. January 4, it said:

"There is one subject of much more importance to Rhode Island than the election of a President, and that is the establishment of free schools. To be sure, those who would favor a military depotism would not be anxious to disseminate education, but this is a question involving the dearest interest of present and future generations, and all others ought to be made to yield to it."

Anticipating the opening of the January session of the General Assembly, the same newspaper, on January 11, said:

"Among all the subjects which will come before them (the General Assembly) the bill for establishing free schools stands pre-eminent. This deserves an early and deliberate consideration. Happily no real difference of opinion exists as to the expediency of establishing free schools, and we do not believe

that if the question were taken by ayes and noes, a single member of the House would answer in the negative. There are three or four members in the Senate we should anticipate a negative vote from, in accordance with their uniform objection to every measure of public opinion and improvement. The only question that will produce difference of opinion is the mode of establishing schools, the ways and means by which they are to be supported—whether it shall depend upon a somewhat precarious revenue derived from lotteries, etc., or whether to this sum shall be added an equal or proportional amount raised by the several towns in such manner as they may think proper. As to the plan proposed by Mr. Waterman,* the benefits of which are to be experienced by the children of the great-grandchildren of the present generation, no man who is a father can listen to it a moment. We do not believe in the maxim 'Let posterity take care of itself,' but it surely is a correct principle that we should first provide for the present rising generation. Let free schools be established to the extent our present means will allow, and future generations will provide for preserving and enlarging the system. There is no instance in which a system of free schools, once fairly established, has been abandoned. It can, moreover, be plainly shown that the voluntary tax to be raised by each of the towns to entitle them to an equal or larger sum from the treasury, will not exceed the amount they already pay for the schools kept within their limits. Under the contemplated bill they will, therefore, receive double the benefits they now experience, at no greater expense than they already voluntarily incur for the education of their children."

The Movement in 1828 Co-operative.—One who reads the editorial in the American and Gazette without an understanding of the conditions actually existing in Rhode Island at the period incurs the danger of serious misunderstanding. It may fairly be inferred from the trend of the editorial that the proposed law imposed upon the towns of the state no greater burden than they had already taken for education. As a matter of fact, only two towns, Newport and Providence, were supporting free public schools. With respect to all other towns the editorial must be read as referring, when it speaks of "the amount which they already pay for the schools kept within their limits," to schools maintained privately, by school societies and other

*The school fund proposition of October, 1827.

voluntary co-operative agencies. There can be no question or doubt that the state's first definite venture with provision for public schools aimed to unite quasi-public agencies and bring them as far as possible under public control. All that was necessary to comply with the terms of the act and earn the right to participate in the distribution of state money was the transfer of school control from private agencies to the town school committee. Property rights and titles might remain unaffected.

The Debate in 1828.—The Tillinghast bill was read a second time January 15, and the House of Representatives made it a special order for Thursday, January 17. An animated debate continued through morning and afternoon sessions until after 5 o'clock on Thursday. Representative Waterman of Warwick again urged a substitute bill providing for the accumulation of a school fund, subject to action by a future General Assembly. He was supported by Representatives Potter, Hazard and Bull. Representatives Tillinghast, Dixon, Simmons, Allen and Bicknell opposed the Waterman proposition. It was rejected, only nine members voting for it. By this test vote the supporters of immediate action proved their strength.

The House then proceeded to consider the proposed act by sections. The basis of apportionment was changed from taxable wealth, or taxes paid, as in the act of 1800, to population under sixteen. The amount to be appropriated by the state annually was fixed at \$10,000. Unfortunately the section requiring towns to build or provide schoolhouses and to supplement state support by town taxation failed; instead, a substituted section permitted towns to raise by taxation not exceeding twice the amount paid by the state, but established no minimum requirement. Expediency, perhaps, made discretion the better choice; the friends of the free school movement realized that the act was least likely to fail if it imposed no burden immediately and directly upon town taxpayers. Close-

fisted ratepayers could interpose no valid objection to an improvement which cost them nothing. The amended bill was then sent back for revision to the committee, to which Representatives Bull and Bicknell were added.

Moulding Public Opinion.—The American and Gazette of January 18 published a communication signed "Hopkins," which urged immediate action and opposed the Waterman plan for a school fund for five reasons: 1. Because it does not provide for the present generation. 2. Because the money from lotteries (paid by poor people, which it is proposed to apply to school support) is in hand and should be distributed. 3. Because it is impossible to tell what a General Assembly of the future may do with the money when the school fund has accumulated and is providing a handsome revenue. 4. Because it is dangerous to wait until \$300,000 shall be accumulated. 5. Because five dollars in a mental savings bank is worth one hundred dollars in silver. The third reason was almost prophetic of the future history of the permanent school fund. "Hopkins" advocated election of a General Assembly that would provide schools, if the Legislature then in session failed to act. He felt certain of public opinion.

On the same day, January 18, the American and Gazette printed a survey of school conditions in the state,* the data having been solicited from Representatives of the towns. Commenting on the survey, the newspaper said, in words which emphasize the desirability of establishing public control over educational agencies :

"From an examination of the above statement, it will be seen that there is a much larger number of schoolhouses erected than has been generally supposed, and but few additional ones will be required. It is obvious, too, that the expense to all the towns to keep up the schools they now maintain is a much greater sum than they will be required to assess in order to entitle them to their proportion of any money that may be appropriated out

*The survey is tabularised in the preceding chapter.

of the treasury, thus giving them, at a less expense than the inhabitants of these towns now voluntarily incur, nearly double the advantages of education they are now receiving.

"The total number of schoolhouses located in all the towns in the state (exclusive of Providence and Newport) are 181, and 10 academies. The number of winter schools averaging at least three months a year, maintained by the inhabitants of these towns, is 262. A winter school for three months must cost at least \$100, which gives \$262,000, the sum now annually paid by the inhabitants of the towns above alluded to, for the education of their children, besides the expense of keeping female* schools in summer. If the blank in the bill now before the General Assembly is filled with \$10,000, the proportion which those towns will receive from that sum will so much diminish their expense of education; or if they add to it what they now pay within themselves, will greatly extend the means of instruction among their children, without one cent additional burden, the only effect being to equalize the payment of the sums now voluntarily raised in the several towns."

The American and Gazette published a verbatim report of the debate on the school bill, written by its editor, B. F. Hallett. The newspaper advocated the taking of all votes by ayes and noes, so that each member of the General Assembly might be put on record for the information of his constituents.

When the roll was called in the House of Representatives on the final division, only Almy of Little Compton and Gray of Tiverton voted no. Smith of Scituate was excused from voting. Arnold, Allen, Bailey, Bull, Potter, Peckham, Simmons, Stone and Waterman were "absent" when the roll was called. The Senate concurred unanimously, after making a few amendments. The act adopted was a compromise measure, but only in the sense that it incorporated provisions both for a permanent school fund and for free schools immediately. The friends of free schools had won a decisive victory.

THE SCHOOL ACT OF 1828.

The school act of 1828 provided (section 1) that all money paid into the general treasury by managers of lotteries or their

*Female schools" in 1828 meant schools taught by women; not schools for women or girls.

agents, and also all money accruing to the state from auction duties, should be set apart and paid over to the several towns, in proportion to their respective population under 16 years of age, "to be by said towns appropriated to and for the exclusive purpose of keeping public schools and paying expenses thereof, the sum, however, hereby appropriated to be paid over in any one year not to exceed \$10,000."

Sec. 2. That each town shall be and is hereby empowered to raise so much money by tax in each year as a majority of the freemen in town meeting shall judge proper to be appropriated to the purpose of public schools, not exceeding, in any one year, double the amount to be in that year received by such town out of the general treasury by the provisions of this act; provided that notice be inserted in the warrant issued for calling the town meeting at which such tax shall be laid that such tax will be acted upon at such town meeting.

Sec. 3. That at the annual town meeting holden for the choice of town officers, each and every town in the state shall, after passing of this act, appoint a committee, which shall be called the school committee, and shall consist of not less than five nor more than twenty-one persons, resident inhabitants of each of said towns, to act without compensation. . . .

Sec. 4. That the school committee of each town shall have power to make all necessary rules and regulations which they may deem expedient, for the good government of the public schools in their respective towns; shall appoint all schoolmasters and schoolmistresses to be employed in teaching the schools, taking care that such masters and mistresses are qualified for the task; shall have power to dismiss a schoolmaster or schoolmistress in case of inability or mismanagement; shall determine upon the places where the schools shall be located in the respective school districts in the towns. . . .

Sec. 5 required the General Treasurer to keep a separate account of money paid into the treasury by lottery managers and auctioneers and to report annually to the General Assembly. Sec. 6 required town councils to certify annually that the money received the previous year had been faithfully applied to the objects contemplated by the act, as a condition precedent to sharing in current and subsequent apportionments. Sec. 7 fixed June 1 as the date for the annual apportionment. Sec. 8 appropriated \$5000 for a permanent school fund, to which should be added annually the excess of receipts from lottery managers and auctioneers and the income of the fund itself over \$10,000.

Sec. 9. That whenever in any year the money paid into the treasury from the sources provided in this act shall fall short of said sum of \$10,000, the deficiency for said year shall be made good from any money in the treasury not otherwise appropriated.

The act of 1828 thus provided an unfailing annual appropriation of \$10,000 for support of public schools, to be maintained by the towns, and placed the control of town public schools in the hands of school committees to be chosen by the freemen in town meeting. The act of 1828 differed from the act of 1800 in eight essentials :

1. The amount appropriated was fixed at \$10,000, whereas the amount to be distributed under the earlier act might fluctuate under, but never could exceed \$6000.

2. The ratio of apportionment was based approximately upon school population, instead of upon ratable wealth.

3. The act imposed no duty upon towns to supplement the state appropriation, whereas the act of 1800 required the towns to maintain free schools.

4. The act limited the amount which a town might raise by tax for school support, whereas the act of 1800 imposed no limitation, but rather provided a simple machinery for extension of school support.

5. Control of town schools was vested in school committees chosen by the freemen, instead of in town councils.

6. The act of 1828 provided for a permanent school fund; the act of 1800 did not.

7. The act of 1828 designated the schools to be maintained "public" schools, instead of the "free" schools of the earlier act.

8. The act of 1828 sanctioned the creation of school districts, but made no provision for school district meetings and separate school maintenance by school districts, as had the act of 1800. Neither act, however, sanctioned the control of district schools by trustees, an unfortunate innovation introduced in Rhode Island by Henry Barnard.

EFFECTS OF THE ACT OF 1828.

John Howland reviewed the new act caustically, thus: "By the new state law for the encouragement, or rather for the discouragement of schools, each town is to receive a small sum annually from the state treasury and are allowed to assess a small sum, I don't recollect how much, in a town tax for the same purpose. This limitation, beyond which the towns are prohibited from assessing, was passed in the General Assembly by the influence of members who were opposed to the general instruction of children throughout the state, and wished to confine it to paupers."

The state was divided into 323 school districts* under the act, and the state appropriation thus averaged \$30.96 per district. The American and Gazette estimated the cost of keeping a three-months school at \$100, that is \$8.33 per week for 12 weeks, or \$7.69 per week for 13 weeks. Teachers could be hired at such figures; Providence paid only \$500 annually for schoolmasters who taught all the year around, or less than \$10 per week, while ushers, or assistant teachers were paid \$250 per year, or less than \$5 per week. The state and town appropriations, if the town appropriated up to the limit permitted by law, amounted to the cost of keeping a free school at least three months in every district. This was a small beginning, but it was a good beginning, and it produced results and bore good fruit immediately.

The Towns Act.—Burrillville, a new town, set off from Glocester in 1806 and named for James Burrill, who wrote the school act of 1800, appointed a committee of 23 members to divide the town into school districts, and a school committee of 21, which it reduced to 16 in 1829. The town appropriated \$300 to supplement the state apportionment, which amounted to \$199.80. Charlestown was divided into six school districts in

*Counting attendance districts in towns not actually divided into school districts.

1828: East Greenwich appointed a school committee in 1828, divided the town into five districts, and conducted a three months school in each district, at the expense of the town beyond the money received from the state. In 1829 the town voted to appropriate \$100 for each district which built a schoolhouse. In 1831 application to the General Assembly was made for authority to build schoolhouses in all districts at the expense of the town; granted in 1832. The schoolhouses were erected at an expense to the town of approximately \$1500 for five schoolhouses, individuals contributing beyond the appropriation. Parents of scholars were required to furnish wood for fuel and to board the teacher, though the very poor were excused from all burdens. Glocester voted, in 1828, to raise by taxation an amount for school purposes equal to the money received from the state. The Jefferson School Society of Glocester obtained a charter from the General Assembly in October, 1828. Hopkinton appointed a school committee, which divided the town into 11 districts without reference to schoolhouses already built, and elected teachers for each district. In 1829 Hopkinton was ordered by the General Assembly to provide schoolhouses on penalty of forfeiting its share of the state appropriation. Johnston appointed a school committee, districted the town and located schoolhouse sites. Middletown, in 1829, voted a tax of \$119 for school support, to supplement the state money. Newport continued its free public schools, already established. By special act of the General Assembly Newport was permitted to expend its share of the state school money for completing the town schoolhouse and supporting another school. North Kingstown elected a school committee of 15 members. The town was divided into 10 districts, in which schools were kept 12 weeks. The state school money was supplemented by a town appropriation equal in amount, and the school committee apportioned the total amount available amongst the districts in proportion to actual

attendance. Providence received permission to raise by taxation for school purposes any amount approved by the freemen, unhampered by the restriction imposed by the school act. The free school system was reorganized and improved as described in later paragraphs. Warwick appointed a school committee and supplemented the state appropriation. One district in Warwick and one in Cranston were united by special act of the General Assembly in 1828 under a joint school committee as Pawtuxet school district; the union was discontinued after a short trial, the law being repealed in 1832. Westerly, in 1830, was authorized to build and repair schoolhouses at town expense. The list here is suggestive rather than exhaustive. School committee and town records are in such condition that a complete statement may not be collected from them.

REORGANIZATION IN PROVIDENCE.

In Providence a reorganization of the public schools occurred contemporaneously with the new state movement. It needs little thought to reach the conclusion that the establishment of free schools in Newport, the enactment of the school law of 1828, and the marked advance in Providence all resulted from the operation of the same general social force. Elsewhere it produced a beginning; in Providence, where a beginning had been made years before, it caused a revival and an advance. The advance in Providence was easier to accomplish than the beginning in other towns elsewhere, and it attained a somewhat earlier start.

The town council and school committee, in 1826, requested schoolmasters to report "their opinions whether any improvement may be made in the mode of instruction, and if so, to give their views of such improvement in the art of writing among the scholars of the several public schools." In the same year new textbooks were approved. A school for small children, under a woman teacher, was opened in 1827. It was resolved

on January 24, 1828, that Francis Wayland, President of Brown University, Thomas F. Waterman and William T. Grinnell be "requested and directed to visit all the schools under the care of the common council, report the books used in each school, the studies pursued, the age at which the scholars are admitted, the average amount of absence, and whatever else may seem to them important, and suggest such alterations and amendment in the general system of instruction, and such regulations for the general government of the schools as they may deem expedient."

Wayland's Report.—The following extracts from the report of the committee show the trend of this important school document, drawn by Francis Wayland, and indicate reasons for dissatisfaction with the public schools of the period:

"There should be furnished a number of schools sufficient to accommodate all who wish to avail themselves of their advantages. Everyone sees the injustice of taxing the whole community to support one or two schools, to which not more than one-tenth of the whole number of children can find admittance. The same injustice will evidently occur if the number of scholars imposed upon a teacher be so great as to render his instruction of so little value that a large portion of the community is obliged to resort to private schools. The same principle would dictate that there be established various grades of schools suited to the wants of the public. If there be but one description of schools, it must either be so elevated that many of the parents cannot prepare their children to enter it, or else so elementary that none would avail themselves of its advantages for any considerable length of time, or else everything of necessity would be so imperfectly taught that a very small portion would be benefited. In either case but a small portion of the community would receive the benefit of that provision, which all were taxed to support.

"It may here be properly suggested whether equity does not demand that the system of public education in this town should make provision for at least one school of high character, a school which should provide instruction in all that is necessary to a finished education. If it be said that such a school would be of advantage only to the rich, it may be answered, as the rich contribute in an equal proportion to education, why should not they be entitled to a portion of the benefit. But it is far from being the case that such a school would be only for the rich. It would be as much a public school, as open to all, and as much

under the government of the public as any other. But it would evidently be of most peculiar advantage to the middling classes, and the poor. Such an education as we propose the rich man can give, and will give to his son by sending him to private schools. But the man in moderate circumstances cannot afford to incur the heavy expenses of a first-rate school, and if no such provision be made, the education of his children must be restricted to the ordinary acquisition of a little more than reading and writing.* With such a school as we have contemplated, he would be enabled to give his child an education which would qualify him for distinction in any kind of business.

"And, lastly, the principle of equity to which we have alluded would dictate that the public schools of every description should be well and skillfully taught. . . .

"The schools now number on their books as many pupils as can receive advantage from the labors of the present instructors. Yet it will not, we presume, be denied that a very considerable portion of the children about our streets attend no school whatever. It would, therefore, seem proper that the school committee, joined with such persons as the town council may add, be empowered to increase the means of instruction from time to time as the wants of the population may require. But it has appeared to your committee that one part of this object may be accomplished immediately, and with very little additional expense, by establishing a sufficient number of primary schools in different parts of the town. The effect of these will be to provide a grade of instruction as much needed by the public as any other, to elevate the character of the grammar schools, and to enable the teachers of these schools to devote their attention to a larger portion of those who are prepared for instruction in the more advanced branches of education. . . .

"If in addition to these two grades of schools a single school for the whole town should be established, of a more elevated character, to enter which it shall be necessary to have been proficient in all the studies of the grammar school, and in which should be taught a more perfect and scientific knowledge of geography, bookkeeping, arithmetic, algebra, geometry, navigation, moral and natural philosophy, natural history, the elements of political economy, and the Constitution of the United States, and the Latin and Greek languages, we think that our system of education would be such as to do honor to the public spirit of this commercial and manufacturing metropolis, but not at all beyond what is demanded by the advanced intelligence of the age. Whether a high school, of somewhat the same character, for girls might not also be desirable and expedient would be a matter for future consideration.

*One argument for the modern public high school and the state college could not be better stated.

“Granting that if a teacher were limited to 20 or 30 pupils, he would teach better by personal instruction than upon the monitorial system—what has this decision to do with the case? Are we prepared to establish such schools? Are there any such public schools? The plain fact is that we must construct a system upon the supposition that there will be from 150 to 200 scholars to a teacher, or to a teacher and an assistant. Now for such schools as these we are inclined to believe that the monitorial system is preferable. So far as our observation has gone, we frankly declare that the proficiency of scholars, under the same circumstances in other respects, when taught under the monitorial system, has been decidedly superior to that of those taught upon the common system. But although these have been the views of your committee, they are far from recommending that the monitorial system be at once adopted in all our grammar schools. . . .

“In closing this report your committee feel obliged to assure their fellow citizens that it is utterly in vain to hope for a valuable course of public instruction without a thorough and active system of supervision on the part of the community. Unless the schools be visited frequently and examined thoroughly, and unless the school committee determine to give to this subject all the attention and reflection and labor necessary to carry the system of education to as great a degree of perfection as the case admits, everything will be fruitless. Without this every plan of education will fail, and with it almost any may be made to succeed. If a sufficient number of gentlemen can be found, who will devote to the interests of the rising generation a half-day every month, and who will so combine their labor as to produce the effect of a particular and general supervision, all that the most benevolent could wish can be accomplished. If such men cannot be found, nothing of value will ever be done.”

The faults which the committee found were insufficient schools to accommodate the school population; inadequate instruction, largely due to an insufficient number of teachers; want of grading; want of supervision. The report recommended: 1. Division of the school committee into primary and grammar school committees, which, with the town council, should have general charge of all public schools. 2. The establishment of primary schools for young children. 3. A test of the monitorial system in one grammar school. 4. Establishment of a public high school for boys.

Reorganization.—In June, 1828, the school government was reorganized under the school act, and the freemen resumed the election of the school committee, which, until Providence became a city, in 1832, was no longer under control of the town council. Asa Messer, who had resigned the presidency of Brown University in 1826, became President of the school committee. Upon petition of the town, in 1828, the General Assembly exempted Providence from the restriction upon taxation imposed by the school law. Had Providence been limited to raising twice its share in the state school appropriation, the entire amount available for school purposes would have been less than the town had been spending annually for school support for a quarter of a century. The limitation not only would prevent progress, but it threatened seriously the continuance of the schools already established. The obstacle removed, the schools were reorganized on the plan recommended by Francis Wayland and his colleagues, except that the opening of a high school was postponed indefinitely. Primary schools, taught by women were opened, and a separate school for colored children was established in the Brick schoolhouse on Meeting street. The scale of wages for grammar school teachers was continued at \$500 per annum for masters and \$250 for ushers, while the women teachers in the new primary schools received \$175 per year, or \$3.36½ per week. The teacher could collect the half-cent, for at that time a copper coin of that denomination was in circulation.

New rules and regulations adopted by the school committee preserve the best available description of the new grading of schools. The branches taught in the primary schools were reading and spelling, and the books used were the New York Primer, the first and second parts of Alden's Spelling Book, Easy Lessons and the New Testament. The primary schools admitted children of both sexes four years old and upward. Upon reaching seven years of age and attaining ability to read

fluently in the New Testament, after examination by a visiting committee of the school committee, the child was promoted to the higher grade of school, called a "writing" school.

In the writing schools the branches taught were spelling, reading, the use of capital letters and punctuation, writing, arithmetic, the rudiments of bookkeeping, English grammar, geography and "epistolary composition." The textbooks used were Alden's Spelling Book, the New Testament, the American Preceptor, the Brief Remarker, Murray's Sequel to the English Reader, Smith's Arithmetic, Murray's Abridgement of English Grammar and Woodbridge's Small Geography. All the primary school textbooks except the New Testament were superseded in 1830 by Oliver Angell's series of Union textbooks, Nos. 1, 2 and 3, which were sold to pupils for 8 cents, 14 cents and 17 cents, respectively. In writing schools Angell's Unions Nos. 4 and 5 succeeded Alden's Spelling Book, the American Preceptor and the Brief Remarker. Oliver Angell was master of a Providence writing school, and the Union textbooks were prepared especially for use in the schools of the town. They were adopted in many other Rhode Island towns.

The report of the quarterly visitation of schools for May 29, 1830, showed an attendance of 1,257 pupils, a gain of 25 per cent. over 1828. The report follows:

WRITING SCHOOLS.					PRIMARY SCHOOLS.				
District.	Teacher.	Boys.	Girls.	Total.	District.	Teacher.	Boys.	Girls.	Total.
1	Mr. Angell	68	73	141	1	Miss Pratt	68	50	118
2	Mr. Baker	48	62	110	2	Miss Church			40
3	Mr. Lee	86	86	172	3	Mrs. Davis	66	50	116
4	Mr. Peters	80	62	142	4	Miss Lockwood	37	41	78
5	Mr. Ferris	60	68	128	5	Miss Fisher	79	46	125
					6	Miss Delano	55	32	87
	Totals	342	351	693		Totals	305	219	564

Providence was incorporated as a city in 1832, and under the charter the election of the school committee passed from the freemen to the city council. The fuel tax was abolished in 1833, the committee reporting that payment of it could be enforced only by excluding delinquents from school, and that such a course seemed inconsistent with "the spirit of the law, or the great object of it." The schools of Providence thus became absolutely free schools.

A RECORD OF STATEWIDE IMPROVEMENT.

The process of state school organization under the act of 1828 extended no further than the distribution of financial assistance. The law made no provision for the collection of school statistics; the only reports of the operation of the law required by the General Assembly were certificates from town councils that the state school money had been expended for school support, as a condition precedent to further participation in the apportionment thereof, and an annual report by the General Treasurer of the receipts of revenue appropriated for school purposes. Consequently there are no public statistics available by which to measure progress or retrogression. There has been preserved, however, the report of a survey made in 1831 by Oliver Angell, author of the Union textbooks, which was undertaken under auspices and circumstances which warrant its acceptance as made without prejudice, although not strictly accurate. In May, 1831, President Wayland presided at a public meeting of gentlemen interested in the cause of education, who assembled in the Town House in Providence. It was resolved to appoint two committees, one to take into consideration the general subject of lyceums and similar institutions designed to promote the cause of popular education, and to report generally thereon at an adjournment of the meeting, and the second committee to take into consideration the present state of schools and to report generally thereon, and also what improvements if any

can be made in the description and instruction thereof. To the first committee Messrs. Farley, Webb and Greene were appointed, and to the second, Messrs. Angell, Curtis and Harts-horn. At an adjourned meeting Professor Alexis Caswell, afterward President of Brown University, presided. The report of the second committee, prepared by Oliver Angell, was received and ordered printed and distributed.* The most valuable part of the report was a table, which showed for each town in the state the number of public and private schools, the numbers of pupils attending public and private schools, the amounts appropriated by the several towns to supplement the state apportionment of public school money, the length of the school year in each town, and for the state the total numbers of men and women teachers in public and private schools. The figures in the following table have been taken from Oliver Angell's table, with the exception of the number of schools in each town in 1828, a column which has been added for purposes of comparison by which to measure the progress made under the state school law :

*The report is in the Rider Collection.

	Schools, 1828	Public schools, 1831.	Private schools, 1831.	Scholars, Public schools.	Scholars, Private schools.	Town appropria- tion.
Barrington.....	3	3	.....	113	.....	.....
Bristol.....	12	3	11	275	240	\$500
Burrillville.....	12	16	16	800	500	300
Charlestown.....	9	8	4	500	80	.....
Coventry.....	21	18	.....	900	.....	300
Cranston.....	16	11	.....	550	.....	500
Cumberland.....	13	17	17	1,200	1,000	500
East Greenwich.....	10	5	3	250	80	100
Exeter.....	3	13	.....	390	.....	.....
Foster.....	15	19	.....	1,197	.....	.....
Glocester.....	15	17	17	510	400	550
Hopkinton.....	9	12	9	550	225	100
Jamestown.....	3	2	.....	100	.....	.....
Johnston.....	9	11	.....	400	.....	366
Little Compton.....	8	7	7	245	175	.....
Middletown.....	5	5	5	210	155	.....
Newport.....	2	2	32	400	900	800
New Shoreham.....	4	3	.....	100	.....	.....
North Kingstown.....	6	12	8	550	250	.....
North Providence.....	11	8	10	400	300	574
Portsmouth.....	4	8	3	360	60	.....
Providence.....	8	11	56	1,150	1,682	5,000
Richmond.....	2	9	5	225	100	.....
Scituate.....	10	16	20	680	550	300
Smithfield.....	17	24	.....	2,049	.....	600
South Kingstown.....	7	12	4	360	200	.....
Tiverton.....	10	12	20	600	400	.....
Warren.....	17	4	9	230	200	350
Warwick.....	16	13	.....	1,040	.....	500
Westerly.....	6	11	8	400	250	150
West Greenwich.....	11	11	5	300	100	.....
Totals.....	294	323	269	17,034	7,847	11,490

The length of the school year was 12 months in public and private schools in Providence and Newport, and 12 months in private schools in Bristol. The public school year was 4 months

in Coventry, Middletown and Warwick; $3\frac{1}{2}$ months in Cranston, Hopkinton, Scituate and Westerly; 3 months in Barrington, Charlestown, East Greenwich, Foster, Gloucester, Jamestown, Johnston, North Providence, Richmond, Smithfield and West Greenwich; $2\frac{3}{4}$ months in Exeter and North Kingstown; $2\frac{1}{4}$ months in Burrillville; 2 months in Cumberland, New Shoreham, Portsmouth, South Kingstown and Tiverton, and 1 month in Little Compton. In Bristol two schools taught by men were kept, respectively, 4 and 12 months, while one woman taught school 12 months; in Warren two of the four schools were kept 3 months, and the other two 12 months. The average length of the school year, exclusive of 12 months schools, was three months. In most of the country towns private schools were public schools continued by subscription. Oliver Angell summarized his table as follows :

Whole number of public schools in the state.....	323
Whole number of scholars taught in them.....	17,034
Number of male teachers, 318; female teachers, 147; total.....	465
Number of schools continued through the year.....	20
Amount appropriated by the towns for support of schools.....	\$11,490
Amount drawn from the state treasury.....	10,000
Total amount expended for support of public schools.	21,490
Private schools, whole year; male teachers 30; female, 38.....	118
Number of scholars in them (exclusive of Friends' School).....	3,403
Estimated tuition at \$20 per year per scholar.....	\$68,060
Estimated tuition in other private schools, \$3 per scholar.....	13,315
Total estimated expenditure for private school tuition..	81,375
Annual expense of keeping schools (public and private).	102,865

Significant Figures.—The figures in the table yield other information. If from the total number of private schools in 1831, private schools in Providence and Newport are omitted (as they were in 1828), the number of private schools in the state becomes 181, and the total number of schools, public and

private, is then 504. Compared with 294 in 1828, a substantial gain is disclosed, even when discounts are made for private schools that were merely continuations of public schools. Where private schools were continuations of public schools, the length of the rural school year must be increased accordingly. The total attendance at public and private schools may not be calculated accurately from the table; that it exceeded 20,000 seems probable, for to the 17,034 public school pupils may be added the scholars attending whole-year private schools, and some part of those attending other private schools.

Significant indices of improvement are found in these facts, derived from the table :

1. The total number of schools had increased in four years from 294 to 504 (exclusive in both instances of private schools in Newport and Providence).

2. Two or more public schools were kept in every town in the state in 1831.

3. The number of children receiving instruction at public expense had increased from less than 1400 to more than ten times that many.*

4. More than half the towns in the state, 17 of 31, made appropriations in 1831 to supplement the state school money.

5. The total of town appropriations exceeded the state appropriation.

There can be no question that the immediate effect of the school act of 1828 had been stimulating and beneficial.

MORE SCHOOL LEGISLATION.

The most important school legislation of the decade following 1828 was the appropriation of the income of the United States deposit fund to school support. In 1839 a codified school law was enacted. Meanwhile almost every session of the General Assembly was productive of school legislation, for the most part special acts intended to aid towns in attaining full benefit of the law of 1828.

*See the criticism of Angell's report below in this chapter.

A summary of special legislation follows : Providence was exempted from the restriction on taxation for school purposes imposed by the act of 1828. Newport was authorized to apply state school money and the income of school funds to building schoolhouses. East Greenwich and Westerly were authorized to levy taxes for and to build schoolhouses at the expense of the towns. School districts in Cumberland, Burrillville, North Providence, Richmond and Smithfield were permitted to levy taxes for and to build district schoolhouses. Hopkinton, Richmond and Exeter were ordered to provide schoolhouses. Bitter controversies arising in Hopkinton and Richmond from school taxation and the delineation of district boundaries, were carried to the General Assembly for adjustment. Smithfield received permission to increase its school committee to 30 members. Two union school districts were established, one at Pawtuxet in Cranston-Warwick, and the other in Richmond-South Kingstown. The former was abolished in 1832.

General school legislation permitted school committees to send children to schools in adjacent towns if more convenient; increased the maximum membership of school committees from 21 to 30; changed the basis of apportionment of state school money from population under 16 to population under 15 first, and again to white population under 15, with a special ratio to reduce the census figures for colored population to the same basis as white. The state in 1838 inaugurated an annual appropriation of \$125 to maintain a school for the members of the Narragansett Indian tribe in Charlestown.

THE CRITICAL YEARS FROM 1828 TO 1839.

The beginning of a series of state-town reports of school conditions was forecasted in a resolution adopted by the General Assembly in 1836, directing town clerks to report the number, age, sex and pecuniary condition of deaf and dumb persons and the extent of their education, and also the number of children

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who attend town public schools and the amount of school money received from the state. To the inquiry concerning attendance nineteen towns responded, reporting a total attendance of 12,350 children at town public schools.

By act of 1838 school committees were required to report annually before the first Wednesday in May the amount of school money received from the state; the amount of school money raised by the town; the number of school districts in the town and the number of schools kept in each district; the amount of money spent in each school district for fuel, furniture, incidental expenses and instruction; the number of children, male and female, attending school and the average attendance; the time and season of keeping schools; the number, names and salaries of teachers; the branches taught and textbooks used in schools. The Secretary of State was ordered to furnish blanks for the reports required, and towns failing to report forfeited the right to participate in the distribution of state school money. Under this act and the general school law of 1839, in which it was codified, statistics were collected from every town in the state from 1839 to 1845, when the Barnard school law made other provision for town school reports.

In the following table attendance records for 1839, 1840 and 1841 are presented, with the report for 19 towns in 1836 and Oliver Angell's attendance report for 1831 :

SCHOOL ATTENDANCE RECORDS.

	1831.	1836.	1839.	1840.	1841.
Barrington.....	113	.....	194	141	131
Bristol.....	275	450	320	474	485
Burrillville.....	800	698	447	588	537
Charlestown.....	500	.....	246	283	265
Coventry.....	900	545	470	653	622
Cranston.....	550	604	407	624	675
Cumberland.....	1,200	1,650	412	1,088	1,395
East Greenwich.....	250	450	209	240	244
Exeter.....	390	.....	284	389	389
Foster.....	1,197	600	619	619	633
Glocester.....	510	655	384	602	621
Hopkinton.....	550	574	478	506	522
Jamestown.....	100	30	53	94	57
Johnston.....	400	.....	333	500	434
Little Compton.....	215	.....	530	522	325
Middletown.....	210	173	200	126	190
Newport.....	400	324	265	636	532
New Shoreham.....	100	.....	200	394	518
North Kingstown.....	550	700	479	481	562
North Providence.....	400	.....	463	508	671
Portsmouth.....	360	255	245	326	448
Providence.....	1,150	1,456	1,753	2,020	3,396
Richmond.....	225	.....	219	273	383
Scituate.....	680	.....	734	769	886
Smithfield.....	2,049	1,213	1,006	1,134	1,658
South Kingstown.....	360	.....	645	750	750
Tiverton.....	600	.....	349	968	522
Warren.....	230	225	133	129	164
Warwick.....	1,040	997	746	1,261	1,357
Westerly.....	400	741	477	427	730
West Greenwich.....	300	.....	253	327	291
Totals.....	17,034	12,350	13,748	17,752	20,253

The 12 towns that made no report in 1836 reported 4450 pupils in 1839, and were credited with 4283 in 1831. If 4367, the number midway between 4283 and 4450, be selected as the probable attendance in these towns in 1836, the state total for

that year becomes 16,717, and the range of attendance totals is 17,034 for 1831, 16,717 for 1836, 13,784 for 1839, 17,752 for 1840, 20,253 for 1841. The increases in 1840 over 1839, and in 1841 over 1840, appear entirely consistent with growth of population and the marked increase in money available for school improvement after 1838 by distribution of the income of the United States deposit money. Half the increase in 1841 over 1840 was in Providence, where a reorganization and improvement of schools in 1839-40 resulted immediately in a larger enrollment of pupils. But the apparent decreases from 1831 to 1836, and from 1836 to 1839, are inconsistent with growth of population and increased town appropriations for support of schools. A decline of interest in public schools after the enthusiasm of beginning must be serious in order to offset the influence of the two factors mentioned and produce the decline that the totals indicate. Three questions are suggested :

1. Are the figures accurate?
2. Was there a decline of interest due to dissatisfaction with the school system?
3. Was there an external social condition or cause for poor attendance at school?

1. *Are the figures accurate?* Between the figures for 1836 and those for 1839 preference for probable accuracy must lie with the latter, because they were reported by the school committees of the several towns, whereas the figures for 1836 were returned by town clerks, who had no intimate connection with town school systems. The figures for 1836 from Bristol, Burrillville, Cumberland, East Greenwich, Glocester, North Kingstown, and perhaps Warren and Westerly are inconsistent with both Angell's report and the school committees' reports for 1839 and subsequently. The probable error, roughly calculated by comparison of reports, is close to 2000, which, if deducted, would reduce the probable total attendance for the state in 1836 to less than 15,000, say 14,900.

As for Oliver Angell's figures for 1831, those for Burrillville, Coventry, Cranston, East Greenwich, Jamestown, North Providence and Tiverton appear to be estimates reached by multiplying the number of public schools by 50 ;* those for Exeter, Gloucester and South Kingstown, estimates reached by multiplying the number of public schools by 30; while those for Burrillville, Charlestown, Coventry, Foster and Smithfield appear out of proportion to all other reports. At least 2500 should be deducted as probable error, making the total attendance for 1831, 14,500.

With the caution that the "corrected" figures for 1831 and are quite as much estimates and as likely to error as the ones they replace, the series of attendance totals becomes 14,500 for 1831, 14,900 for 1836, 13,748 for 1839, 17,752 for 1840, and 20,253 for 1841. Population increased not quite 12 per cent. between 1830 and 1840. If the figures in the table are taken as accurate, there was an increase in school attendance from 1831 to 1840 of only 700 for the whole state, leaving for explanation a drop from 17,034 to 16,717 in 1836, and a fall to 13,748 in 1839. If the figures as corrected are taken as more nearly indicating actual conditions, then there was a period of little progress from 1831 to 1839. Either hypothesis and conclusion make the second and third questions relevant.

2. *Was there a decline of interest due to dissatisfaction with the school system?* The most complete and intimate history of a Rhode Island town school system preserved is that of Providence. The free schools of Providence made no gain in attendance from 1800 to 1828; the attendance increased in 1828 as a consequence of improvement in the grading of schools, and there was another marked gain in 1840-41, when further improvement was undertaken. The report of Francis Wayland in 1828, portions of which have been quoted, pointed out clearly that the free schools of Providence were insufficient to accom-

*Angell's figures are printed in Chapter II.

moderate all town children of school age; that the instruction was inefficient because of the large number of pupils assigned to each teacher; that the schools could be of advantage to only a small portion of the community, because they must inevitably, under all the circumstances, teach only a narrow content well, or an extended content poorly.

The theory that a cause for dissatisfaction with the public schools lay in the schools is sustained by the following extract from a petition addressed to the city council of Providence by the Providence Association of Mechanics and Manufacturers in 1837, in which the association asked for improved schools :

"Your memorialists have been struck by one fact, to which they would respectfully solicit particular attention. It has been argued by some (and perhaps the argument has attracted the consideration of your honorable body) that the instruction of youth in the public schools is a heavy tax upon the middling classes, without an adequate return, as they do not participate in the benefit of this public instruction. This argument, which is evidently weighty in the present condition of these schools, would be destroyed if they were raised to the condition desired by your memorialists. Why is it that the middling classes do not become participants in this instruction? There is evidently but one reason. They perceive that the crowded state of the schools alone would prevent proper attention to the pupil; and they are aware that with the small sum which the instructors receive it is difficult to procure and retain the services of competent persons to fill the station. But let the schools be made so numerous that the scholars may receive as much attention as they do in the private schools, and let the salaries be so large as to induce men of equal ability to take charge of them, and that which is now considered a tax, would then be viewed as an alleviation of one of the heaviest burdens put upon the middling classes."

Thus President Wayland, in 1828, and the Providence Association of Mechanics and Manufacturers, representing, as they said, "a large portion of the heads of families of the city," in 1838, were in substantial agreement in the reasons they assigned for criticising the public schools. If the undisputed facts warranted such criticism of Providence, where schools were kept

12 months in the year by teachers whose tenure was secure and continuous, what might be said of rural towns and districts, where the average school term was three months, where teachers' salaries were smaller than in the city, where local municipal support of schools was less generous, where there must be a reorganization and a fresh beginning every winter, whither the schoolmaster might never return after a single term? There is no reason to believe that public schools in Rhode Island previous to 1840 were any better than the schools which Horace Mann found in Massachusetts in 1837, or, on the other hand, that the average Rhode Island school of the period was inferior to the average New England school at the same time.

3. *Was there an external social condition* or cause for the want of increased attendance at school? The first cotton spinning in America was undertaken by Samuel Slater at Pawtucket in 1790. The industry advanced slowly in its earlier years, but experienced a rapid development after the invention of the cotton gin, and in Rhode Island, particularly when the merchants of the state turned from the hazards of foreign commerce to the safer investment in factories and textile machinery. The wreck of the *Ann and Hope* on Block Island in 1806, and the total loss of the good ship and her cargo, and all the profits of a year's voyage, marked a turning point in the economic history of Rhode Island. Compact villages grew up close to the new factories built along the upper reaches of the turbulent rivers; the older boys and girls of the factory villages worked in the mills instead of attending schools. Not all manufacturers were indifferent to this condition. Samuel Slater himself taught a secular Sunday school for children at Pawtucket. Other manufacturers erected schoolhouses near their factories, but the factories, nevertheless, in the absence of compulsory attendance laws, tended to lower school attendance. The industrial system in Rhode Island was an external cause for stagnation in school attendance. The winter school, which might attract the

boys and girls of a farming community in the months when there was little work to do "about the place," was beyond the youthful operative in the factory, who worked all the year around. An attempt to remedy this condition was made in 1840, when a state law was passed, declaring that no child under twelve years of age should be employed in any manufacturing establishment unless the child attended for three of the twelve months next preceding such employment some public or private day school where instruction was given in spelling, reading, writing and arithmetic. This law was left out of the revision of the statutes in 1844 with all other school laws, in anticipation of the enactment of a new school law to be drawn by Henry Barnard, and it was not codified in the revised school act which Henry Barnard wrote in 1844 and which the General Assembly passed the next year.*

The years between 1828 and 1839 were critical years in the history of Rhode Island schools. The school act of 1828 produced improvement immediately, but the appropriation of \$10,000 annually was too meagre to assure continued progress. Consequently the schools maintained under the act of 1828, even when towns supplemented the state appropriation, were not of such a character as to attract that increasing attendance which is the surest index of public appreciation and satisfaction. At the same time there was a growth of manufacturing which operated as an external factor in decreasing school attendance. But that the schools themselves were at fault seems to be proved by the advance of nearly 50 per cent. in enrollment of pupils which followed immediately the increased state appropriations under the acts of 1836 and 1839. *More money then meant more schools, more scholars and better schools, as it has since.*

*The original draft of the Barnard act includes this law.

MORE MONEY AND IMPROVEMENT.

The General Assembly, in October, 1836, authorized the General Treasurer to receive for Rhode Island the state's share in the distribution of the surplus revenue of the United States, under an act of Congress approved in June of the same year. The Assembly also ordered the money deposited in state banks paying five per cent. interest, and by law provided for the distribution of the income of the fund to the towns of the state, to be used exclusively for the support of public schools. Three installment payments, amounting altogether to \$382,335.30, were received from the Federal Government. The deposit fund earned \$1,358.35 up to April 30, 1837; \$17,676.24 in 1837-38, \$18,991.14 in 1838-39, all of which, with the \$10,000 provided by the act of 1828, was apportioned to the towns. The school law of 1839 fixed the annual school appropriation at \$25,000.

Besides the increased enrollment and attendance which followed the distribution of larger state appropriations, other statistics indicate substantial improvement. The following table shows for the state the number of public schools, the number of public school teachers, the number of male pupils, the number of female pupils, the whole number of pupils, town expenditures for fuel, rent, etc., expenditures for instruction, and the total expenditures for support of public schools in the years from 1839 to 1845, inclusive :

	1839.	1840.	1841.	1842.	1843.	1844.	1845.
Schools	365	393	408	409	402	428	407
Teachers	427	481	495	465	482	515	495
Male pupils	8,112	10,202	11,253	12,479	11,960	11,811	11,386
Female pupils	5,636	7,550	9,000	9,372	8,132	10,345	9,710
Total pupils	13,784	17,752	20,253	21,851	20,092	22,156	20,096
<i>Expenditures :</i>							
Fuel, rent, etc.	\$2,972	\$4,104	\$6,313	\$5,482	\$5,899	\$5,405	\$5,165
Instruction	32,383	36,096	40,516	39,088	42,944	48,336	48,444
Total expenditures . .	35,355	40,200	46,829	44,570	48,843	53,741	53,609

Another Advance in Providence.—In Providence the Association of Mechanics and Manufacturers petitioned the city council for better school facilities in 1837, referring to the act of 1836, as follows :

“Your memorialists are convinced that the present is the time to commence this work of reform. The amount that will be received from the government and devoted to education will considerably alleviate the expense at the outset, and the inhabitants of the city are now so well convinced of the necessity of effort that any appropriation for this object would no doubt meet with their approbation.”

The memorialists suggested the establishment of a grade of schools between the primary and writing schools “for reading, writing and arithmetic only, the design of which is to give a thorough instruction in these branches to those children whose parents need their services at as early an age as 12 or 13 years, and who under the present arrangement are compelled to leave school with a very superficial knowledge of these branches, which are so necessary for obtaining a livelihood in any business.” “Intermediate” schools of the kind described in the petition were subsequently established in the city, but the immediate action of the city council was even more liberal than had been prayed for.

The city council, on April 8, 1838, adopted an ordinance providing for a high school, six grammar schools and writing schools, ten primary schools; and, most important from the viewpoint of administration and efficiency, the appointment of a superintendent of schools—one of the first officers of the kind in America. A committee of the city council was instructed to visit the schoolhouses of the city and examine them; the committee reported that "all were unfit for use in their present condition, and were all either too small, too dilapidated or too badly constructed to be worth repairing."

The city thereupon undertook the building of new schools, the movement continuing six years. A high school building, which cost \$21,572.87, was constructed; it is the substantial brick building on Benefit street which subsequently to use as a high school housed the Rhode Island Normal School for a generation, and is now occupied by the Rhode Island Supreme Court. Six grammar schools were built at an average cost of \$10,463.22, and six primary schools, at an average cost of \$1,865.60. That the era of large schools had not passed in Providence, however, is shown by the floor plans of these buildings, schoolrooms in which provided seats for 120 primary or intermediate pupils, and 225 grammar pupils. Two recitation rooms were provided with each grammar room. Not until 1857 was a change to smaller rooms made, upon the urgent recommendation of Superintendent Leach.

Nathan Bishop was appointed Superintendent of Schools July 23, 1839, and entered upon his duties August 1, 1839. Women teachers replaced the ushers in the grammar schools, as the latter resigned and retired, between 1836 and 1839. The new high school was opened in 1843.

The enterprise of Providence proved to be an influential factor in arousing the state to undertake the great survey of 1843-45, and the improvements which followed it.

THE SCHOOL LAW OF 1839.

A general school law enacted in 1839 was a codification and an ampler statement of existing law rather than an innovation. It provided for :

1. An annual school appropriation of \$25,000, to be apportioned to the towns in proportion to population under 15 years of age.—This was a decrease, because since 1836 the appropriation had been \$10,000, plus the income of the United States deposit fund. It was, however, a fortunate provision, because the income of the deposit fund was uncertain, and the fund itself was liable to recall.

2. Application of lottery and auction revenue to repayment of the state's debt to the permanent school fund, and after repayment to its increase.—In the 11 years from 1828, \$53,402.20 had been invested for the fund in bank stocks, the par value of which was \$51,300. The state owed the fund the uninvested balance of the revenue appropriated for the fund in 1828, amounting to \$15,773.33.

3. Permissible town taxation for support of public schools, limited, as in the act of 1828, to double the amount of the money received from the state; there was no minimum requirement.—This was actually an advance in the permissible maximum from \$20,000 to \$50,000. It changed the limits of state-town school money, from \$10,000-30,000 annually to \$25,000-75,000 annually.

4. Exclusive use of state school money for payment for instruction, and not for room rent, fuel or any other purpose whatsoever.—In subsequent acts this appropriation was designated "teachers' money." The section as it stood in the act of 1839 would have forced towns to supplement the state appropriation to the extent of paying at least incidental charges. Later in 1839 the law was modified by an act which permitted school committees, where towns made no provision for incidental expenses, to assess for school expenses the parents or guardians of pupils by rate bills. Payment of tuition in the form of a fuel bill was abolished in Providence in 1833; rate bills were discontinued by other towns from time to time, and were forbidden by statute in 1868.

5. Reports and certificates that school money had been used in compliance with law.

6. Town school committees of 5 to 30 residents with power:

1. To make regulations and rules for the government of schools.
2. To suspend or expel scholars for misconduct.
3. To determine the location of schoolhouses or schools.
4. To fill

vacancies in the committee caused by death, resignation or removal. 5. To appoint teachers, taking care that they be of good moral character, temperate and otherwise well qualified for the office. 6. To dismiss teachers in case of inability or misconduct. 7. To visit all schools at least once every three months, and to superintend, watch over and provide for the ordering and governing of the same. 8. To allow and certify all accounts. 9. To report to the annual town meeting. To report school statistics* to the Secretary of State annually. 11. To hold quarterly meetings in January, April, July and October. 12. To apportion state school money among the different schools and school districts. 13. To determine the number of schools to be kept per district. 14. To send school children to schools in adjacent towns, if more convenient, and pay tuition for them.

7. Corporate powers for (1) school districts, (2) school societies of five members or more, and (3) library associations.

8. Union school districts, to be made up of contiguous districts in adjoining towns, for the purpose of keeping a union district school.

The new features of the act, wherein it was an advance over the act of 1828 were (1) an increased fixed appropriation for support of public schools, (2) clearer definition of specific powers of school committees, (3) provision for the annual collection of school statistics, and (4) general corporate powers for districts, school societies and libraries.

School committees, by act of 1842, were required to examine, personally or by committee, and to ascertain the qualifications and capacity for the government of schools of all instructors employed in their respective towns; no person could be legally employed to teach in any public school without a certificate of examination and qualification. This act did not apply to Providence, North Providence and Smithfield.

Special acts from 1839 to 1845 permitted the school committee of Providence to meet at times to suit its convenience; permitted Little Compton and Portsmouth to elect school committees at times other than that specified by the general law; permitted various towns to make belated reports required by law

*These statistics were essentially the same as those mentioned above.

without forfeiture of school money; authorized various school districts in North Providence, Tiverton, Exeter, Coventry, Johnston, North Kingstown, Scituate and Foster, and all districts in Glocester, South Kingstown, North Providence, Burrillville and Tiverton to build and repair schoolhouses; adjusted various disputes as to taxation, and legalized irregular elections and actions of school committees in various towns.

A STATE SCHOOL COMMITTEE.

School enrollment increased from 13,748 in 1839 to 20,253 in 1841, a gain of almost 50 per cent. in two years, coincident with improvement due to increased appropriations. From 1841 to 1845 there was no gain, the totals for the state being 20,253 in 1841, 21,851 in 1842, 20,092 in 1843, 22,156 in 1844 and 20,096 in 1845. Fluctuation in the attendance of girl pupils was sufficient to produce the variation in totals. School attendance in the period increased in Providence, under the influence of the continued improvement there, but otherwise, generally, the state was marking time and scarcely holding the advance gained in 1839-1841. A law requiring children under 12 employed in factories to attend school three months a year had little appreciable influence upon school enrollment, if, indeed, the law was observed or its enforcement attempted. The act itself provided none of the machinery necessary for making it effective.

The example of Providence, then carrying forward its—for the times—almost munificent project of building new schoolhouses was stimulating, but improvement elsewhere came about, not through imitation upon the initiative of the towns, but through legislation and the initiative of the General Assembly, which became under the Constitution of 1842 a state school committee. Fortunately for Rhode Island no question of school policy was involved in the political controversy of long standing, which in 1842 reached a crisis in the Dorr war. Thomas Wilson Dorr, leader of the party which demanded

manhood suffrage without the restrictions of freemanship imposed by the charter government, as a member of the General Assembly in 1836 and as a member of the first legislative committee on education of which there is record, presented the law which appropriated the income of the United States deposit fund to school support, and led the successful battle for its enactment. He was a member of the school committee of Providence from 1838 to 1842, succeeding Mayor Bridgham as President of the committee in 1841. Throughout the period of his membership he was an influential and active advocate of many of the reforms which carried the schools of the city to a condition of efficiency which elicited this praise from Henry Barnard in 1845: "The city of Providence has already gained to itself an extended reputation and made itself a bright example to many other cities."

The Dorr Agitation.—The People's Constitution of 1841-42, under which Dorr was elected Governor April 18, 1842, contained an uncompromising declaration favoring public education and "free schools."* The Landholders' Constitution of 1841-42, drafted by a convention in which the opponents of Dorr were in control, contained a declaration as uncompromisingly favoring public education and "public schools."† For purposes of comparison, the sections of the two Constitutions dealing with education and schools are printed in parallel columns :

* *People's Constitution.*—The diffusion of knowledge, and the cultivation of a sound morality in the fear of God being of the first importance in a republican State, and indispensable to the maintenance of its liberty. It shall be an imperative duty of the Legislature to promote the establishment of free schools and to assist in the support of public education.—Declaration of Rights and Principles, No. 5.

ARTICLE XII.—Of Education.—Sec. 1. All moneys which now are or may hereafter be appropriated by the authority of the state to public education shall be securely

† *Landholder's Constitution.* — ARTICLE XII.—Of Education.—Sec. 1. The diffusion of knowledge, as well as of virtue, among the people being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools and to adopt all other means to secure to the people the advantages and opportunities of education which they may deem necessary and proper.

Sec. 2. The money which now is, or which hereafter may be appropriated by law for the formation of a permanent fund

The People's Constitution was the earlier document. A mass meeting of the people of the state, held in Providence, May 5, 1841, appointed a state committee. On July 5, 1841, the state committee was directed to call a convention for the purpose of framing a constitution. Delegates were elected August 8, 1841, and met in convention in the State House in Providence, October 4, 1841. On November 18, 1841, the People's Constitution was adopted by this convention; it was submitted to the people, freemen and non-freemen, December 27, 28 and 29, 1841, for ratification. It was ratified by a vote of 13,444 to 52, and proclaimed January 13, 1842. Dorr was elected Governor under its provisions April 18, 1842, but his attempt to assume the prerogatives of his office was suppressed by the charter government.

The Landholders' Constitution was framed by a convention which was called pursuant to authority of the General Assembly,

invested and remain a perpetual fund for the maintenance of free schools in this state; and the General Assembly shall be prohibited from diverting said moneys or fund from this use, and from borrowing, appropriating or using the same, or any part thereof for any purpose, or under any pretence whatsoever. But the income derived from said moneys or fund shall be annually paid over by the General Treasurer to the towns and cities of the state for the support of said schools, in equitable proportions; provided, however, that a portion of said income may, in the discretion of the General Assembly, be added to the principal of said fund.

Sec. 2. The several towns and cities shall faithfully devote their portions of said annual distribution to the support of free schools, and, in default thereof, shall forfeit their shares in the same to the increase of the fund.

Sec. 3. All charitable donations for the support of free schools and other purposes of public education shall be received by the General Assembly, and invested and applied agreeably to the forms prescribed by the donors, provided the same be not inconsistent with the Constitution or with sound public policy, in which case the donation shall not be received.

for the support of public schools shall be securely invested and remain a perpetual fund for that purpose.

Sec. 3. All donations for the support of public schools, or for other purposes of education which shall be received by the General Assembly shall be applied according to the terms prescribed by the donors.

Sec. 4. The General Assembly shall make all necessary provision by law for carrying this article into effect. They are prohibited from diverting said moneys or fund from the aforesaid uses, and from borrowing, appropriating or using the same, or any part thereof, under any pretence whatsoever.

by vote of February 6, 1841. The convention met in Providence, November 11, 1841, and at an adjourned meeting, February 18, 1842, adopted the Landholders' Constitution. The freemen rejected this constitution March 21, 22 and 23, 1842, by a vote of 8013 for and 8689 against.

Constitutional Provision for Schools.—Not less significant than the declaration for free schools as against public schools was the sweeping provision in the People's Constitution for the conservation of public money pledged to the support of public schools. The Landholders' Constitution safeguarded merely the permanent school fund established by the act of 1828, and donations for the support of public schools and public education. The People's Constitution reached beyond the permanent school fund to "all moneys which now are, or may hereafter be, appropriated by the authority of the state to public education." It ordered applied to school support or the increase of the permanent school fund, the income which the state derived from lotteries and auction duties, as well as the entire income of the United States deposit fund. Moreover, it forbade borrowing from the deposit fund, a practice begun by the state in 1840. In the course of events which followed rapidly in 1842, the United States deposit fund furnished a war chest for the charter government for suppressing the Dorr movement, \$107,000 being taken therefrom in 1842-43. Thus Rhode Island history presents an unusual instance of use for his own destruction at the hands of his enemies of a fund which a statesman had labored to preserve intact.

A third constitutional convention met at East Greenwich November 5, 1842, and framed the present State Constitution, which the freemen, qualified by law to vote, ratified November 21, 22 and 23, 1842, by a vote of 7032 to 59. This constitution contained an article entitled "Of Education," which in phraseology varied but slightly from article XII of the Landholders'

Constitution.* The granting of lotteries was forbidden, thus abolishing the most productive source of school revenue under the act of 1828. The constitution prescribed a voluntary registry tax of one dollar per annum to be paid by citizens, other than qualified taxpayers, who wished to vote. The registry tax was the forerunner of the present poll tax, and like the poll tax, was appropriated by the Constitution to the support of public schools. In 1844 the General Assembly perfected the registry tax provision of the Constitution by an act which directed town treasurers to transfer to the town school account annually the proceeds of the registry tax.

The State Constitution of 1842, therefore, abolished one source of school revenue and substituted another for it. Of no less importance, it made the General Assembly a state school committee, whose duty it was "to promote public schools and to adopt all means that they may deem necessary and proper to secure to the people the advantages and opportunities of education." This provision of the fundamental law was speedily exercised by the first General Assembly elected under the new Constitution. The action taken at the October session of the General Assembly was the beginning of a complete reorganization of the school system. The year 1843 thus became one of the most notable in Rhode Island history; it

* The text of the article on education follows :

ARTICLE XII.

OF EDUCATION.

Sec. 1. The diffusion of knowledge, as well as of virtue, among the people being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools and to adopt all other means which they may deem necessary and proper to secure to the people the advantages and opportunities of education.

Sec. 2. The money which now is, or which may hereafter be appropriated by law for the establishment of a permanent

fund for the support of public schools shall be securely invested and remain a perpetual fund for that purpose.

Sec. 3. All donations for the support of public schools, or for other purposes of education which may be received by the General Assembly shall be applied according to the terms prescribed by the donors.

Sec. 4. The General Assembly shall make all necessary provision by law for carrying this article into effect. They shall not divert said money or fund from the aforesaid uses, nor borrow, appropriate or use the same, or any part thereof, for any other purpose, under any pretence whatsoever.

marks the beginning of government under a Constitution and the inauguration of a reform which substituted, eventually, a state system of public schools for the town system established under the law of 1828.

WILKINS UPDIKE—FORERUNNER OF HENRY BARNARD.

At the October session of the General Assembly in 1843, Wilkins Updike, Esq., Representative from South Kingstown, introduced a bill, the text of which follows :

"It is enacted by the General Assembly as follows :

"Sec. 1. The Governor of this state shall employ some suitable person as agent, for the purposes hereafter mentioned, at a reasonable compensation for his services.

"Sec. 2. The said agent shall visit and examine the respective public schools in this state; ascertain the length of time each district school is kept, and at what season of the year, the qualifications of the respective teachers of said schools, the mode of instruction therein; collect information of the actual condition and efficiency of our public schools and other means of popular education, and diffuse as widely as possible among the people a knowledge of the most approved and successful methods of arranging the studies and conducting the education of the young, to the end that the children of the state who depend upon common schools for instruction may have the best education that those schools may be made to impart; and shall make report to the Legislature with such observations and reflections as experience may suggest, upon the condition and efficiency of our system of popular education, and the most practicable means of improving the same.

"Sec. 3. It shall be the duty of the preceptors of the public schools in the respective districts in this state, from time to time, to furnish said agent with all the information he may require, in order to enable him to carry out the provisions of this act."

After an explanation by Mr. Updike* his bill was passed unanimously by both houses of the General Assembly. Governor

*The Providence Journal of November 2, 1843, reported Mr. Updike's speech in support of his bill as follows :
Mr. Updike presented an act relating to the state of the free schools in this state.

He exposed very ably and very clearly the insufficiency of free schools in most of the towns in this state when compared with the amount of the appropriation by the state. There was no uniform system of teaching,

Fenner appointed Henry Barnard as State School Agent to make the survey provided for in the act.

Wilkins Updike, father of the great survey of 1843-45, lived to see the undertaking of which he was the prophet carried forward to completion in the reorganization of the public school system. He was a staunch and able supporter of the Barnard school bill in 1844 and 1845. His death in 1867 was memorialized by the

no suitable boards for examination of teachers, no uniform set of class books, not only throughout the state, but even in the same district. Each succeeding master differs from the former, and there is no sort of uniform system in the teaching in the same schoolhouse. The necessity of normal schools, for the education of teachers, is apparent to the most superficial observer. One man, one winter, teaches from one set of books, and the next teacher requires an altogether different set of books. As soon as the children begin to learn in one way, they are required to unlearn that, and begin another. The teachers should first be taught, and then, when they have learned the science of teaching, they should be allowed to begin teaching, but not till then. In other states, where such normal schools are established, persons who formerly taught have gone to them in order to learn the science of teaching. There should also be boards of commissioners to examine these teachers and decide upon their moral and intellectual qualifications. If these institutions were properly settled, and a uniform system of education established throughout the state, the value of the appropriation would be more than doubled.

Mr. Updike went at length into the various systems of education in the neighboring states, and passed a deserved eulogium on the system of the city of Providence.

Mr. Updike enlarged upon the benefit which would result to the youth of this state from a uniform and general system of education. An instance had lately come to his knowledge, in a conversation with a member of the school committee of the city of Providence, which developed clearly the value of the system in that city, and the imperfections of those in the towns. A woman, the wife of a farmer in one of the northern towns, had moved to Providence and opened a boarding house, while her husband re-

mained at home and cultivated the farm. She stated that she had a large family and that she had removed to the city for the purpose of procuring for her children the advantages of free schools, which are equal to any of their kind in the country. If the same system were extended over the state; if the same acquirements were deemed necessary for teachers, and the same supervision held by competent men over the government and management of the schools, who can estimate the moral and intellectual benefits which would result to coming generations? Children invariably copy and imitate their teachers; they conform to their moral habits and aspire to their intellectual acquirements. Suppose, then, that teachers, with all the requisite qualities and acquirements, who had been instructed in the science of teaching, should be placed over the district schools six or seven months in the year, what incalculable blessings would flow from it! How much would they promote the taste for learning and raise the standard for intellectual acquirement.

He had long been of the opinion that a board of education should be established in this state, and that by their wise and enlightened regulations the value of the free school establishment would be more than doubled. Look at the workings of the system of Connecticut, Massachusetts and New Hampshire; their schools do not flourish in the large towns alone, but are scattered on the same wise and impartial basis throughout the small villages, and the scattered country districts. Wherever their beneficent provisions extend (and they are felt in every school district) there is to be found a teacher instructed in his science, capable of teaching the youth entrusted to his charge, and of disseminating a taste of learning among all with whom he associates. He is appointed by a competent board, whose reputation for knowl-

General Assembly in resolutions that failed to mention perhaps his greatest service to his state. The resolutions follow :

"Whereas the General Assembly has learned with sorrow of the death of the Honorable Wilkins Updike of Kingston, for many years a prominent member of this body; therefore,

"Resolved, That we desire to inscribe upon the record some memorial of our respect for this old-fashioned gentleman, this vigorous and honest legislator, this hospitable and warm hearted citizen.

edge and discretion is high among the people. The teacher, therefore, receives and deserves a confidence which an inexperienced teacher cannot acquire. [Perhaps Mr. Updike's somewhat exaggerated praise of other systems was justified by the importance of the occasion. The comment is the author's.]

One small town in New Hampshire, said Mr. Updike, has sent forth twelve distinguished men to different professions and the councils of its own and other states. What a comment is this upon the taste for learning diffused by means of proper schools.

The act which he proposed directed an inquiry into the management of our free schools, with a view to further action when the report of a committee should make known what action was needed. He hoped all would enter into this matter with the interest which it deserved, and that the future action of the Assembly should place the free school system upon such a basis as to insure a healthy and beneficial system of education.

Another version of Wilkins Updike's address appeared in Henry Barnard's report for 1845 :

"The free school system as it then existed was not a blessing to the state except in the city of Providence, and possibly a few other towns, where a similar course was pursued. This was not owing to the want of liberal appropriation from the General Treasury. This was large enough, or at least, was larger than was made by any other state to the several towns. But the difficulty lay with the towns and with the want of any thorough system for the examination of teachers, the regulation of books and supervision of schools by officers qualified to discharge these duties. Our teachers come from abroad, are employed to teach without producing evidence either of moral character or their fitness to teach,

remain in the schools two or three months, and within 24 hours of the close of the term are gone to parts unknown. The books for our schools are selected by authors and publishers, or itinerant vendors, and what parents have to do about the matter is to get new books every year, and pay the bills. As to visiting schools, who ever heard of committees going about into the different districts, or of parents being seen in the schoolroom? These things should be looked into. The Legislature should know what becomes of the sum of \$25,000 which is drawn annually from the General Treasury. The people should have their attention called to the actual state of education among us. Our self-respect should be aroused by a knowledge of the fact brought out by the last census of the United States, from which it appeared that Rhode Island is behind the other New England states in this matter. With a population of 108,830 we have over 1600 adults who cannot read or write, while Connecticut, with a population of 309,978, has only 526. The other New England states not only educate their own teachers, lawyers, doctors and clergymen, but help to supply our demand for these classes of men. It is time to bestir ourselves in this matter. We need not act with precipitation. All that this bill provides for is information as to the real state of things, and upon such information the Legislature and the people can act understandingly. Pass this bill, sustain the agent who may be appointed, act upon his recommendations when they are sustained by facts and sound arguments, engraft upon our system the tried improvements of other states, enlist the whole people in this great work of elevating the schools where all the children of the state may be well educated, and this little bill of three sections will be the beginning of a new era in our legislation on the subject of education."

"Resolved, That in the death of Honorable Wilkins Updike has passed away from earth almost the last of a generation of true Rhode Island men, worthy of our respect and imitation in the walks of public and private life."

A BRIEF SUMMARY.

The progress of Rhode Island schools from organization in a state system under the act of 1828 to reorganization under the Constitution of 1843, may be summarized briefly as follows:

1. In 1828 an awakened statewide interest in schools resulted in (1) a state appropriation of \$10,000 annually for support of town public schools, (2) the beginning of a permanent school fund, and (3) in Providence, where free schools had been established in 1800, a reorganization, a grading of schools and a gain of 25 per cent. in attendance.

2. The state appropriation stimulated general improvement in schools throughout the state, as proved by an unprejudiced survey undertaken by citizens of Providence in 1831.

3. The years of improvement were followed by a period of stagnation and reaction, in which little or no further progress was made. In the critical years school attendance failed to increase proportionately to population.

4. Careful investigation and analysis of conditions disclosed in the quality of the public schools a reason for retarded improvement. The industrial organization of the state proved detrimental to increased attendance.

5. An increase in state school appropriations after 1836, as the income of the United States deposit fund became available, produced (1) improvement throughout the state generally, shown by an increase in attendance of nearly 50 per cent., and (2) in Providence still another advance, involving (a) a further grading of schools, (b) rebuilding of schoolhouses, and (c) the appointment of a superintendent of schools.

6. In 1842 Rhode Island adopted a Constitution, which made the General Assembly a state school committee, whose duty it is to advance education.

7. The example of Providence and the excellence of the city public schools attracted the attention of the General Assembly. Wilkins Updike introduced a bill calling for a state school survey by an expert. The bill was passed unanimously.

8. Henry Barnard, appointed agent and afterward Commissioner of Public Schools, guided the state to a reorganization of the public school system.

CHAPTER IV.

SURVEY AND REORGANIZATION.

The school survey is not a modern invention, much as the term has come to be associated almost exclusively with the twentieth century. Horace Mann's labors in Massachusetts amounted to a survey, but Horace Mann was not an educational expert when he accepted office. Rhode Island inaugurated a thorough survey of the most approved modern type when Governor James Fenner selected for the work outlined in Wilkins Updike's bill an educational expert from beyond the state's borders—Henry Barnard, without question the foremost American educator of the nineteenth century. Governor Fenner announced the appointment of Henry Barnard as state school agent in the following proclamation:

“To the people of Rhode Island :

“In pursuance of an act to provide for ascertaining the condition of the public schools of this state, and for the improvement and better management thereof, I have secured the services of Henry Barnard, who has had several years experience in the discharge of similar duties in a neighboring state, and observed the workings of various systems of public instruction in this country and in Europe.

“Mr. Barnard will enter immediately on the duties of his office. His great object will be to collect and disseminate in every practicable way information respecting existing defects and desirable improvements in the organization and administration of our school system, and to awaken, enlighten and elevate public sentiment in relation to the whole system of public education. With this view he will visit all parts of the state and ascertain by personal inspection and inquiries of teachers, school committees and others, the actual condition of the schools, with their various and deeply interesting statistical details. He will meet in every town, if practicable, such persons

as are disposed to assemble together, for the purpose of stating facts, views and opinions on the condition and improvement of the schools, and the more complete and thorough education of the people. He will invite oral and written communications from teachers, school committees and all others interested in the subject, respecting their plans and suggestions for advancing the intellectual and moral improvement of the rising and all future generations in the state. The result of his labors and inquiries will be communicated in a report to the General Assembly.

"In the prosecution of labors so delicate, difficult and extensive Mr. Barnard will need the sympathy and co-operation of every citizen of the state. With the most cordial approval of the object of the Legislature and entire confidence in the ability, experience and zeal of the gentleman whom I have selected to carry it out, I commend both to the encouragement and aid of all who love the state and would promote her true and durable good, however discordant their opinions may be on other subjects.

"JAMES FENNER.

"December 6, 1843."

WHAT THE SURVEY DISCLOSED.

Henry Barnard's earlier reports were made orally to the General Assembly, which as a state school committee called him into conference as its expert adviser. His first printed report recapitulated his work for two years; it was almost encyclopædic in detail, and presented a thoroughly organized review of his methods and activities. He visited every section of Rhode Island, inspected schoolhouses, examined and questioned teachers, consulted with school officers, conducted and addressed public meetings, one of which was held within three miles of every home in the state. He drafted school legislation to remedy the defects which he found, and he conducted in every town and district of the state a "school revival meeting," knowing full well that law becomes effective only when enacted with the consent of the people, and when the sympathy of the people is enlisted in its enforcement.

Barnard's Methods.—He used four methods of ascertaining school conditions, (1) personal inspection and inquiry, (2)

circular questionnaires addressed to teachers and school committees, (3) official returns and reports, (4) statements in public meetings. To arouse interest and inform the general public and prepare the way for a more complete and efficient school system, he adopted these measures: (1) Public lectures, (2) conversations and written communications, (3) circulation of tracts, periodicals and documents, (4) the establishment of an educational library of at least 30 volumes in every town, (5) formation of associations for the improvement of public schools, (6) assistance to school committees in selecting teachers, (7) encouragement of more extensive employment of women teachers, as better suited for elementary school teaching and reducing the cost of instruction almost one-half, (8) advocating and introducing graded schools in manufacturing and other populous districts, (9) organizing teachers' associations, (10) establishing an itinerant normal school agency, (11) preparing the way for the establishment of at least one normal school for teacher training, (12) devising and making known improved plans for schoolhouse construction, (13) encouraging the purchase and aiding in the selection of school apparatus and school libraries, (14) encouraging lyceums, lecture courses and library associations, (15) preparing the draft of a school act.

"During the five years of service of Mr. Barnard," wrote Rev. E. M. Stone, historian of the Rhode Island Institute of Instruction, "more than 1100 meetings were held expressly to discuss topics connected with public schools, at which upwards of 1500 addresses were delivered. One hundred and fifty of these meetings continued through the day and evening, upwards of 100 through two evenings and a day, 50 through two days and three evenings, and 12, including teachers' institutes, through the entire week. In addition to this class of meetings and addresses, upwards of 200 meetings for teachers and parents were held for lectures and examination of schools. Besides these various meetings, experienced teachers were employed to visit particular towns and sections of the state and converse freely with parents on the condition and improvement of the public schools. In this way a meeting was held within three miles of every home in Rhode Island. In addition to all

this, more than 16,000 educational pamphlets and tracts were distributed gratuitously through the state, and one year no almanac was sold in Rhode Island without at least 16 pages of educational reading attached. This statement does not include the official documents published by the state, nor the Journal of the Institute, nor upwards of 1200 bound volumes on teaching purchased by teachers or added to public or school libraries. Before Mr. Barnard left the state a library of at least 500 volumes had been secured in 29 out of 32 towns."

Henry Barnard found the organization of the public school system weak, largely because school committees had not at command the resources necessary for a vigorous exercise of powers conferred upon them by law. Although he introduced a district school system that clothed the district trustee—a new officer in Rhode Island—with large executive and administrative powers, thus weakening somewhat the status of school committees, he advocated a gradual abolition of the district system and the substitution for it of a thoroughly organized town school system. This reform required sixty years for complete accomplishment in Rhode Island.

Physical Condition of Schools.—Of the number and condition of schoolhouses in the state Henry Barnard reported that "405 schoolhouses were required, whereas but 312 were provided. Of these 29 were owned by towns, 147 by proprietors and 145 by school districts. Of 280 schoolhouses from which full returns were received, including those in Providence, 25 were in very good repair, 62 were in ordinary repair, and 86 were pronounced totally unfit for school purposes;* 65 were located in the public highway, 180 directly on the line of the road, without any yard or outbuildings attached, and but 21 had a playground attached. In over 200 schoolhouses the average height was less than eight feet, without any opening in the ceiling or any

*Compare Horace Mann's report (1846) : "In 1837 not one-third of the public schoolhouses of Massachusetts would have been considered tenantable by any decent family out of the poorhouse or in it." And see Young's report (New York, 1844) : "One-third only of the whole number of schoolhouses visited were found in good repair, another third in ordinary and comfortable condition only in this respect—in other words, barely sufficient for the convenience and accommodation of the teacher and pupils, while the remainder, consisting of 3319, were to all intents and purposes unfit for the reception of man or beast."

other effectual means of ventilation. . . . Two hundred and seventy schools were unfurnished with a clock, blackboard or thermometer, and only five were provided with a scraper and mat for the feet." He found the schoolhouses (1) too small and not appropriately fitted up, (2) badly lighted, (3) improperly ventilated, (4) imperfectly warmed, (5) supplied with desks and seats which were crude and unsuited to physical needs and convenience of pupils, (6) wanting the ordinary accessories, such as blackboards, clocks, maps, thermometers and other apparatus and fixtures which are indispensable to well-regulated and well-instructed schools, and (7) deficient in arrangements "which help to promote habits of order and neatness, and cultivate delicacy of manners and refinement of feeling." In some districts apartments in old shops or dwellings were used as schoolrooms. In many instances districts paid to the proprietors rents that exceeded the interest on the cost of new and improved schoolhouses.

To remedy these conditions, the General Assembly, in January, 1844, empowered school districts to purchase, secure, hold and convey land for schoolhouses; to build, hire and repair school buildings; to equip schoolhouses with furniture, apparatus and blackboards, and to levy and collect taxes for these purposes. At the October session in the same year the School Agent was authorized to prepare, print and distribute a document describing and presenting approved plans for school buildings, furniture and furnishings, ventilation, heating and lighting. A pamphlet of 72 pages, with 50 illustrations, was distributed. Summarizing results achieved in two years, Mr. Barnard wrote: "If the same progress can be made for three years more, Rhode Island can claim in proportion to the number of school districts more specimens of good houses and fewer dilapidated, inconvenient and unhealthy structures of the kind than any other state. To bring about thus early this great and desirable result I can suggest nothing beyond the vigorous prosecution of the

same measures which have proved so successful during the past two years."

School Attendance.—School attendance was found to be unsatisfactory. Estimating the number of children in the state aged between 4 and 15 years as 30,000, 24,000 attended public and private schools, of whom 21,000 attended public schools, but of these only 18,000 were within school age, and one-third attended irregularly. Far too many children of school age attended no school and received no instruction. Henry Barnard suggested these remedies: (1) A regular time each year for the school term, (2) a regular time for admitting pupils, (3) a regular time for beginning school sessions, (4) forfeiture of school privileges for poor attendance, (5) regular attendance, (6) careful records of attendance and class work and standing, (7) weekly and monthly reports to parents, (8) specified holidays and no others. Modern educators, of course, would reject exclusion from school as a remedy for poor attendance. The School Agent recommended as part of his school law the act of 1840 that required children under 12 employed in factories to attend school three months a year. Compulsory attendance appeared nowhere else in his list of remedies. He would improve schools, make them attractive, insist upon regularity in term and time, and depend upon these factors to draw children to school.

Among other improvements sorely needed, Mr. Barnard suggested graded schools and graded courses of study, if any advance were to be made beyond schooling of the most elementary-primary type, with special attention to adapting the work of the schools to the community. Henry Barnard believed that populous manufacturing districts would become the homes of thriving schools. In this he proved to be in error.

Legislation Needed.—Henry Barnard found these defects in school laws: (1) Want of a systematic digest, (2) restriction on the amount of money which towns were permitted to raise

for school support, (3) no check upon the creation of weak school districts, (4) absence of conditions which should lead towns to supplement state appropriations, (5) want of a rule governing the apportionment of school money to school districts, (6) want of adequate means of preparing teachers, (7) absence of a system of inspection and supervision, (8) want of suitable provision for uniformity of textbooks, (9) absence of restriction on waste of school money, (10) want of a tribunal for settling cheaply school disputes, (11) want of provision for uniform and efficient administration, (12) want of measures of progress by neglect to require adequate reports. He suggested the following remedies: (1) A reorganization of the school administrative system in three orders, state, town and district; (2) supplementing state support of public schools by required town taxes, registry taxes, and rate bills where necessary, districts to provide school-houses and parents to furnish books and stationery; (3) grading of schools; (4) certification of teachers; (5) adaptation of courses of study to town needs, towns to select courses of study, subject to advice of the state department; (6) a school year of not less than four months; (7) supervision of schools by district trustees, town school committees, county inspectors and the Commissioner of Public Schools; (8) establishment of a normal school; (9) establishment of school libraries, open to use by the general public; (10) diffusion of information about schools by printed reports and public meetings and addresses.

Many of his recommendations were incorporated in the draft of a new school law, which, with remarks by the agent explaining the various sections, was ordered printed at the May session, 1844, and was passed, after discussion and amendment, in 1845, to go into effect after the October session in that year.*

* The Barnard school act—

1. Prescribed the appointment of a Commissioner of Public Schools by the Governor, at a compensation to be fixed by the General Assembly.

2. Provided for an annual appropriation of \$25,000, to be apportioned by the

Commissioner of Public Schools in proportion to population under 15; to be designated teachers' money and used exclusively for the payment of teachers' wages; to be supplemented by town appropriations of at least one-third the amount received from the state.—Henry Barnard advocated

THE BARNARD SCHOOL LAW.

The fundamental features of the Barnard school act may be summarized as follows :

1. Organization of town schools as a quasi-state system, with a state officer, the Commissioner of Public Schools, to administer the system.

2. Supervision of schools by the Commissioner of Public Schools, county inspectors appointed by him, school committees and school trustees.

town appropriations at least equalling state school money.

3. Authorized, empowered and ordered the Commissioner of Public Schools (1) to apportion state school money and draw orders on the general treasury for its distribution, (2) to prepare suitable forms for school reports required from towns, (3) to adjust and decide without cost disputes arising under the school law when submitted to him for adjustment, his decision to be final when approved by one justice of the Supreme Court, (4) to visit as often as practicable every school district in the state for the purpose of inspecting the schools and diffusing as widely as possible by public addresses and personal communications with school officers, teachers and parents a knowledge of existing defects and desirable improvements in the administration of the system, and the government and instruction of the schools, (5) to recommend textbooks and secure uniformity if practicable in at least every town, (6) to assist in establishing and selecting books for school libraries, (7) to establish teachers' institutes and one thoroughly organized normal school, (8) to appoint county inspectors to serve without compensation, visit schools and examine teachers, (9) to grant certificates to teachers examined and approved by county inspectors, (10) to keep records and report to the General Assembly (a) his own doings, (b) the condition of schools, (c) plans and suggestions for improvement of schools, and (d) on other matters.

4. Imposed upon towns the duty of providing for the education of all children residing within their respective limits: (1) By establishing, altering or abolishing primary school districts, provided that no

district be formed with less than 40 pupils without the consent of the Commissioner of Public Schools, and none by the division of a populous district where graded schools could be conveniently established. (2) By establishing and maintaining a sufficient number of public schools of different grades, conveniently located, under the management and regulation of a school committee. (3) By raising money for the support of schools by taxation, no town to receive state school money unless it raised at least one-third as much as its apportionment of state school money. (4) By electing a school committee of three, six, nine or twelve residents.

5. Prescribed the powers and duties of school committees as (1) to organize by electing a chairman and clerk, (2) to meet quarterly in January, April, July and October, (3) to alter district lines subject to the approval of the town or the Commissioner of Public Schools, (4) to locate schoolhouse sites and not to abandon or change a site without due cause, (5) to examine and certificate teachers for schools within the town, (6) to annul teachers' certificates for inability disclosed by trial or for misconduct, (7) to visit and examine schools at least twice each term, (8) to suspend or expel incorrigibly bad pupils, (9) to make general rules and regulations for the government of schools, (10) to fill vacancies in the committee caused by resignation, death or removal, (11) to apportion state school money to districts, one-half equally and one-half in proportion to average daily attendance, (12) to apportion town school money to districts according to the order of the town, (13) to apportion school money only to districts which returned the reports required by the committee and the Com-

3. A system of schools reports: (1) District reports to town school committees, (2) school committee reports to the town, to be read in town meeting or printed and distributed, (3) school committee reports to the Commissioner of Public Schools, and (4) the report of the Commissioner of Public Schools to the General Assembly, with recommendations and suggestions for improvements.

4. A tribunal for the adjustment of disputes arising under the school law. The Commissioner of Public Schools was empowered to hear and decide, without costs, appeals addressed to him, thus obviating necessity for actions at law or petitions to the General Assembly.

missioner of Public Schools, and which maintained a school at least four months a year taught by a qualified teacher in a schoolhouse approved by the school committee, (14) to report annually to the Commissioner of Public Schools, and by printed or written document to the annual town meeting, the report to be read if not printed and distributed, (15) to exercise in towns not divided into districts the powers otherwise assigned to district trustees, (16) to conduct a school and employ a teacher for any school district in which the trustees neglected or refused for nine months to conduct a school, (17) to exercise all the powers and perform the duties of trustees in school districts which voted, with the consent of the committee, to devolve such powers upon the committee, (18) to send children to school in adjacent towns if more convenient and to pay a proportionate part of the cost of such schools.

6. Prescribed rules for the organization of school districts, for their consolidation and division, and for the time and place of holding school district meetings.

7. Defined the corporate powers of school districts: (1) To prosecute and defend actions at law, (2) to purchase, receive, hold and convey school property, (3) to build, purchase, hire and repair schoolhouses and furnish and equip the same, provided that plans for building and repairing must be approved by the school committee or the Commissioner of

Public Schools, (4) to establish school libraries, (5) to employ teachers, (6) to raise money by tax on ratable estates for school purposes, and to fix a rate of tuition to be paid by parents, employers or guardians of children in attendance not to exceed \$1 for each term of three months, subject to the approval of the school committee, (7) to elect trustees, and (8) to elect a clerk, collector and treasurer for the district to attend to the details of levying and collecting school district taxes in manner provided by the act.

8. Defined the powers and duties of school trustees: (1) To have the custody of schoolhouses and other district property, (2) to give notice of district meetings, (3) to employ one or more qualified teachers for each 50 scholars in average daily attendance, provide schoolrooms and furnish fuel properly prepared for burning, (4) to visit each school at least twice each term, (5) to see that scholars were provided with books, and upon neglect of parents or guardians (after notice) to provide books for scholars at the expense of the district and charge the cost upon tax or rate bills, (6) to make out tax and rate bills, (7) to report to the school committee.

9. Permitted towns (1) to establish public school libraries, for use by the inhabitants generally and to be located in one place or transferred in whole or in parts to different sections of the town; (2) to assume the burden of providing school-

5. School support by (1) an annual state appropriation, to be used exclusively for payment of teachers' wages, and to be apportioned (a) to the towns on the basis of population under 15, and (b) in the towns to school districts, one-half equally and one-half in proportion to average daily attendance; (2) required supplementary town appropriations equal to at least one-third the town's share in state school money; (3) permissible town and district taxation and appropriations for school support with no maximum limitation; (4) rate bills, if necessary to make up deficiencies of state, town and district appropriations, limited however, to one dollar per pupil per term of three months.

6. Town responsibility for the provision of educational opportunities for all resident children. Parental responsibility

houses, imposed by the law upon school districts; (3) to conduct schools at option upon the town or district plan.

10. Permitted adjoining primary school districts to combine for the purpose of establishing secondary or grammar schools for more advanced pupils, under the management of a secondary school committee in which each district was represented, and taught by a teacher holding a certificate of qualification issued by the county inspector or the Commissioner of Public Schools.

11. Permitted contiguous districts or parts of contiguous districts in adjoining towns, with the consent of the towns, to form union districts for the support of a single district school.

12. Required teachers (1) to hold certificates signed by the town school committee, the county inspector or the Commissioner of Public Schools, which certificates were valid (a), respectively, for one, two and three years, and (b), respectively, in the town, county and throughout the state, and could be issued only after the person named therein had produced evidence of good moral character, and had been found, on examination or by experience, qualified to teach the English language, arithmetic, penmanship and the rudiments of geography and history, and to govern a school; and (2) to keep school registers of attendance and of visits by trustees, school committees, inspectors, the

Commissioner of Public Schools and other persons.

13. Provided an annual appropriation of \$100 for a school for the Narragansett Indians.

14. Required town clerks to record all votes and proceedings relating to schools in a book provided for that purpose; to receive and keep reports and documents addressed to the town, and to receive and forward communications from the Commissioner of Public Schools.

15. Required town treasurers to keep separate accounts of school money, to receive and to pay it out upon proper orders, and to notify the school committee within one week after the regular town meeting of the amount of money available for school purposes and the sources from which it was derived.

16. Forbade and provided a penalty for misapplication of school money.

17. Excluded Providence from the provisions of the act, except as to sharing in the distribution of school money, and confirmed the special legislation enacted for Providence and Newport.

18. Provided that no child could be excluded from the school in the district in which he resided or from the nearest public school in towns where there were no districts, unless by general rule, and in no case for inability of the parents or guardian or employer of the child to pay taxes, rates or assessments for any school purpose whatsoever.

for books, stationery and tuition, but provision for absolutely free education for poor children.

7. Organization of the town school system, at the option of the town, upon the district or town plan; definition of the powers of school committees and school trustees; limitation upon the creation of weak school districts and upon the division of populous towns and districts.

8. Power for towns and districts to acquire, hold and convey property for school purposes; to build, purchase, hire, repair and maintain schoolhouses; to equip schoolhouses and school rooms with furniture and apparatus, district schoolhouses and plans for building and repair to be approved by the school committee or the Commissioner of Public Schools.

9. The duty of districts (or towns) to provide schoolrooms, hire teachers and provide fuel; parents to provide books and stationery.

10. Measures for school improvement: (1) A minimum school year—not less than four months; (2) limitation of the size of classes to 50 pupils per teacher; (3) limitation on the creation of weak districts; (4) graded schools and courses of study where practicable.

11. Measures for the improvement of teachers: (1) Teachers' meetings, addresses and teachers' institutes, and (2) the organization of a normal school for teacher training.

12. Certification of teachers by school committee, county inspector or the Commissioner of Public Schools, and definite statement of the subjects required for qualification. The longer term for state certificates and their validity throughout the state and in the union grammar schools was an inducement to teachers to seek these certificates.

An Evaluation of the Barnard Act.—The advances in the Barnard school law were: (1) The creation of a state organization, (2) compulsory support of schools by towns, (3) ample

powers conferred on towns to build and acquire schoolhouses, (4) restriction on the creation of weak school districts, (5) certification of teachers, (6) a minimum school year, (7) restriction on the size of classes, (8) state supervision, (9) school reports. The most serious defect in the law was the creation of the office of school trustee, with powers likely to bring him into conflict with the school committee. This created a division of authority and was a concession to local autonomy inconsistent with the tendency to centralization of authority evidenced in the organization of a state department of education. Other defects were (1) the exclusion of Providence from the law and the tacit recognition of two standards for schools—a city standard and a rural standard; (2) the omission of a compulsory attendance provision or remedies for truancy, and (3) provision for a normal school without an appropriation or other means of making it possible.

Henry Barnard, Commissioner.—Henry Barnard was appointed Commissioner of Public Schools under the act of 1845, remaining in office until 1849, when he resigned because of failing health. He was then 38 years of age; he lived for half a century thereafter, dying in 1900, after years of splendid service for public education, including a short term as the first United States Commissioner of Education. Besides his oral reports to the General Assembly, his *Journal of the Institute of Instruction*, in three volumes, and a final report made in 1849 epitomized his work in Rhode Island. Of his report for 1849, 250 pages deal with school architecture and 140 with libraries. In his five years as agent and Commissioner in Rhode Island Henry Barnard labored assiduously, while his health permitted, to carry into full effect the reforms which he projected. Most of all, improvement was made in the physical character of schoolhouses and equipment, and in the personnel, methods and spirit of teachers—two of the most important elements in a system of schools. Among the people of the state he aroused

wholesome interest in schools. He was enabled to demonstrate the wisdom of his recommendations, although complete realization of many of them was deferred, in some instances, for years. His school law, although many times revised and amended, is still the foundation of Rhode Island school law. Rhode Island was fortunate, indeed, in obtaining for the great survey of 1843-45, antedating as it did by almost seventy years the modern survey, a school system at once adequate for that time, and sufficiently adaptable to changing conditions to warrant its continuance. There has been no radical change in school administration and policy in the state since 1845, and yet the period has witnessed continued and continuous progress. There has been evolution and growth without reconstruction. Improvement has been the natural outgrowth or the realization of suggestions made by Henry Barnard, and of foundations well established. There can be no greater monument to the memory of Henry Barnard than the school system which he helped Rhode Island to reorganize.

THE AFTERMATH OF THE SURVEY.

The Rhode Island school law of 1845 and the labors of Henry Barnard marked the beginning of a new epoch in Rhode Island school history—"new," because, historians to the contrary notwithstanding, there were schools in Rhode Island and a history of schools before Rhode Island called Henry Barnard; "an epoch," because the change from old to new was fraught with so much import, and "the beginning," because so much of what Henry Barnard projected was destined to be realized only years after his retirement. Thus Rhode Island school history neither ended with the advent of Henry Barnard, nor began with his coming. Henry Barnard's service to Rhode Island was unique, quantitatively, in the immense immediate physical improvement accomplished in half a decade, and in the no less appreciable enrichment of public opinion; and qualitatively, in the elements

of merit which made his system adaptable in detail to a changing environment while fundamentally permanently satisfactory.

Much as Henry Barnard accomplished, more remained to be done. Schoolhouses were still needed in districts in which the awakening had been delayed; school districts that had built splendid schoolhouses needed a spur to continue their endeavors, if not, indeed, a reawakening from a reaction and exhaustion consequent upon overexertion in the "revival" period. There were school districts in the state in which the building of schoolhouses was a "standing bugbear to further improvements in their neighborhood. They are," wrote Commissioner John Kingsbury in 1859, "like expensive dwelling houses, whose owners have so crippled themselves in building that they cannot afford to live in their houses after they are built. In respect to such schoolhouses, the standing argument is, we have expended so much money in building our house that we cannot afford to tax ourselves for a good school." Commissioner Potter, Henry Barnard's immediate successor, doubted the wisdom of enforced town support to supplement state school money, suggesting that progress might be more rapid if the state assumed the entire burden. He realized keenly the need of more money to improve schools. Problems of physical equipment and adequate support continued to be perplexing—but these problems never can be solved beyond the ever present, and the immediate future.

The Barnard school law and the Barnard programme for future improvement created new problems. The Commissioner of Public Schools—a new officer—must find his proper place in the system. Was he destined to become merely a ministerial educational secretary for the General Assembly, a collector of reports and a statistician? Or was he to become the respected adviser of the General Assembly, a leader moulding public opinion in educational matters, and the repository of an authority in school administration which inferior school officials must recognize? A town system, of school administration, to

replace the district system, remained to be perfected. Provision for the normal school for teacher training lay in the future. The Barnard plan to encourage a higher qualification for teachers by state certification failed in the first trial, although years afterward Rhode Island assumed leadership in perfecting state certification. The public schools under the Barnard law were not free schools, as they must become eventually. The people needed more education of the liberal kind expounded by Henry Barnard to carry them beyond the level reached in the "revival" period to a clear vision of the necessity for adequate support of schools free for everybody. Henry Barnard, as later experience proved, had not approached a solution of the problem of universal education involved in school attendance. His theory that the quality of good schools and an aroused public interest were sufficient to insure ample provision for the education of the rising generation was utopian. It pandered to the strong individualism still surviving in Rhode Island. Drastic compulsory attendance and truancy laws proved to be necessary. Grading of schools and of courses of study, as outlined by Henry Barnard, was but a meagre beginning of public support for education beyond primary elementary schools. Even the Barnard school law, comprehensive as it was in its detail and in its definition of rights, powers and duties, needed amendment almost immediately to adapt it to existing conditions—but that is a characteristic of all statutes. Experience is the crucible in which law is refined and perfected.

The major problems awaiting solution in 1845 were these:

1. Provision of adequate support for schools.
2. Abolition of tuition charges and textbooks exactions.
3. Increasing school attendance.
4. Provision for teacher training.
5. Town school administration—the district problem.
6. Orientation of the Commissioner of Public Schools.

ADEQUATE SUPPORT FOR SCHOOLS.

The assured sources of school support under the Barnard act were an annual state appropriation of \$25,000 and registry taxes under the Constitution. The obligation of towns was stated thus : "To provide for the education of all the children residing within their respective limits, the several towns are empowered and it shall be their duty . . . to maintain a sufficient number of public schools . . . and . . . to raise by tax . . . such sums of money for the support of public schools as they shall judge necessary . . . provided that a sum equal to one-third the amount received from the general treasury for the support of public schools for the year next preceding shall be raised before any town shall be entitled to receive its proportion of the annual state appropriation." The construction of this declaration of the town's duty as mandatory, and as compelling town support of schools supplementary to state support and sufficient in amount to insure schools, was inhibited by later sections of the same act, which empowered school districts to assess taxes for school support and to collect tuition from scholars by rate bill. The revised school law of 1851 confirmed the weaker interpretation by its provision that "towns *may* establish and maintain . . . a sufficient number of public schools." As a matter of fact and of law, neither act imposed any enforceable obligation upon the towns; the coercion that the state might exercise in compelling town support of schools was limited to requiring application of state school money to the purposes for which it was distributed, and the withholding of state school money for failure to raise by taxation at least one-third as much as the state apportioned. In 1846 the Commissioner of Public Schools was authorized to remit forfeitures; but this leniency to delinquent towns proved demoralizing rather than corrective. It permitted a town to forfeit, reform the following year, and

draw two years school money for the support of schools kept only one year. In 1848 the share of state school money which any town forfeited by failure to assess a tax for school support was ordered covered into the permanent school fund. This is one forfeiture which the Commissioner of Public Schools may not remit.

Weakness of the Law Remedied.—The weakness of the state's position under the laws was clearly understood. Commissioners of Public Schools were obliged occasionally to report the failure of a town to raise its quota, or that "every town in the state, but ——" had complied with the school law. The Supreme Court in 1881 confirmed the recognized interpretation of the law, declaring that the statutes *permitted* but did not *obligate* towns to maintain public schools. *Wixon vs. Newport*, 13 R. I. 454; approved 21 R. I. 29. In 1882 the duty of towns to support public schools was made mandatory; in the Public Statutes the words "*shall maintain*" replaced the words "*may maintain*," and the town system of schools became a state system, at last.

As between towns and districts the power to compel support was somewhat more ample, though still deficient. Under the Barnard act school committees were empowered, "if any district shall neglect or refuse to establish a school and employ a teacher for the same for nine months . . . to establish such school and employ a teacher for the same as the trustees might have done." In 1846 the period of neglect or refusal which would permit a school committee to act was reduced to six months. But there the town's power to deal with the district ended, beyond the right to withhold state and town school money and registry taxes. There was no method of compelling the taxpayers of a refractory district to pay an additional assessment for the support of the district school thus thrust upon the town. As a last resort, however, the town might

have recourse to its right, through its school committee, to discontinue the district,* to alter its boundaries, or to divide the district and annex the parts to other districts. The right of a town to abolish all districts and assume complete control of its school system, without regard to districts, seems to have been in doubt after 1846, when a statute confirmed existing district boundaries, leaving them subject to alteration only by the school committee. In 1884 towns were given authority and power to abolish districts.

State Support Increased—For want of adequate legislation to compel town support of schools, and because the spirit of local autonomy was sufficiently strong in the General Assembly to defeat proposed legislation, as it had Henry Barnard's recommendation of town support to equal state support, the state itself must finance projects for school improvement. The difference between state and town support, ultimately, is a question of public policy in distributing the burden of taxation. State school support is a device for placing upon the taxable property of the entire commonwealth the cost of school maintenance; it rallies wealthy communities to the assistance of their poorer neighbors. It should enable the weakest and poorest community to maintain for its children schools of standard quality. Thus state support is consistent with the educational principle that there shall be one standard for all the schools of the commonwealth, and with modern political and social theory that the state is responsible for the education of all its citizens. Whatever might be the motive that actuated the members of the General Assembly in refusing to impose upon their constituents, the taxpayers of the towns which they represented, an irrecusable obligation to assess themselves for school support, Rhode Island was committed to what was ultimately probably a wiser policy.

*Bull vs. School Committee, 11 R. I. 244.

In 1849 the General Assembly voted to assess a tax of three cents on every \$100 of taxable property in the state, \$10,000 of the proceeds to be applied to school support, and the balance to payment of the debt of the state, including the state's debt to the United States deposit fund, and to orders of the General Assembly. The annual school appropriation was raised to \$35,000, but the obligation of towns to supplement state school money remained at one-third the town's share in the distribution of \$25,000, as under the Barnard act. A conflict of opinion in the General Assembly as to the wisdom of increasing the obligation of towns delayed enactment of a revised school law until 1851, and the conservative party was triumphant. The town obligation remained unchanged.

The state, in 1854, added \$15,000 to its annual appropriation; towns were required to supplement the state school money by taxation amounting to one-third of the town's share in \$35,000. In 1869 the town obligation was raised to one-half, and in 1871 and afterward town taxation for school support must equal state school money. The state appropriation was made \$70,000 in 1868, \$90,000 in 1869 and \$120,000 in 1884. Dog license fees were appropriated to school support in 1869, and in 1888 poll taxes replaced registry taxes.

ABOLITION OF TUITION.

Scholars in the early free public schools of Providence were assessed for fuel and required to furnish ink. In 1833 the fuel assessment was abolished. Newport assessed against scholars a small tuition charge, but provided free textbooks and stationery. By statute in 1839 school committees were empowered, "whenever an amount of money sufficient to pay for fuel, rent and other incidental expenses of public schools shall not be provided by any town by taxation or otherwise," "to assess a sum sufficient to pay such expenses upon those who send scholars to the schools, in such manner as they may deem just,

exempting from assessment such as they consider unable or too poor to pay." This act supplemented section 4 of the general school law of 1839, which required that state school money be "applied to pay for instruction, and not for room rent, fuel or any other purpose whatsoever." It enabled town school committees to use the state school money, by hiring a teacher even when the town failed to provide a schoolroom and additional money for incidental expenses of keeping school. The Barnard school act continued the prevailing system, designated the state school money "teachers' money," to be applied exclusively to the payment of teachers' wages, and permitted assessment of tuition, which it limited in amount to one dollar per scholar for each term of three months. In 1847 the legal voters of any district in which public schools of different grades were established, were empowered to fix a rate of tuition for each grade of schools, not exceeding one dollar per scholar for the lowest grade and two dollars for the higher grade, for any term of three months, provided that the rate of tuition be approved by the school committee.

The Evil of Rate Bills.—Commissioner Potter, in 1850, recommended abolition of rate bills. "There can be no doubt," he said, "that the present rate bill system is one great obstacle in the way of a more general attendance. In several of the larger towns the schools are now made entirely free by town taxation, but in many of the towns the state and town appropriations are insufficient and the remainder is assessed on scholars. . . . The greatness of the evil is apparent. It is for the wisdom of the Legislature to devise a remedy." Other Commissioners pointed out the evil effects on school attendance produced by charging tuition. The exemption of poor children was not an adequate remedy; it was well known that many parents preferred keeping their children away from school to confessing poverty. The rate bill was an assessment

payment of which could not be avoided easily. Payment **might** be demanded in advance; the rate bill could be collected in **the** same manner as town taxes, by levy upon the property of **the** debtor, or by arrest of his body and imprisonment for **debt**. Hence, possibly, arose a reluctance on the part of some **who** could pay, to incur the obligation. It was almost **ridiculous** to expect a satisfactory attendance record under all **the** circumstances.

The amounts collected by rate bills, as reported to the Commissioner of Public Schools, were \$10,075 in 1851, \$10,210 in 1852, \$6,516 in 1853, \$10,823 in 1854, \$11,721 in 1855, \$10,502 in 1856, \$7,394 in 1857, \$5,251 in 1858, \$5,893 in 1859, \$6,831 in 1860, \$5,320 in 1861, \$3,739 in 1862, \$4,551 in 1863, \$3,296 in 1864, \$4,920 in 1865, \$9,655 in 1866, \$9,630 in 1867, \$8,945 in 1868, \$2,452 in 1869. In 1868 rate bills, after the current year, **were** abolished. The state, at the same time that it abolished **rate** bills, increased its annual appropriation \$20,000, thus **ampl**y providing for the towns which still depended upon this **form** of school tax. Three-quarters of the towns in the state **used** rate bills in 1867 and 1868.

TEXTBOOK EXACTIONS—FREE TEXTBOOKS.

The textbook problem was threefold; that is, it involved **three** problems: First, the supplying of pupils in the schools **with** the books needed for study; second, uniformity of **textbooks** in the different schools of a system; third, some reasonable **restriction** upon frequent changes of books or editions. The **first** problem, that of supply, was complicated by failure to solve **the** **second** and third. While teachers were permitted to choose **textbooks** and editions for use in their own schoolrooms, and **while** school officers and teachers were permitted to act as **agents** for textbook manufacturers—the word seems apt to **characterize** a certain class of publisher—and while there were **no** **restrictions** upon frequent changes, parents of school

children were burdened not only with the primary cost of providing books, but with the additional and vexatious exaction of buying new books with every change of teachers, new books upon removal or transfer from one to another district in the same town, and still other new books when a change was ordered by school officers.

The Textbook Evil.—Reports of Providence schoolmasters in 1820 disclosed a variation in textbooks, in spite of rules and regulations which prescribed certain books. In 1830 the school committee adopted Oliver Angell's series of Union books, which were published at a low price, as a means of reducing the burden. The general school acts of 1828 and 1839 permitted school committees to prescribe the books used in town schools, thus limiting the assumed prerogatives of teachers. And yet, Wilkins Updike, in his address to the General Assembly in 1843, declared: "The books for our schools are selected by authors, publishers, or itinerant vendors, and all that parents have to do about the matter is to get new books every year and pay the bills. . . . There is no uniform set of class books, not only throughout the state, but even in the same district. . . . One man, one winter, teaches from one set of class books, and the next teacher requires an altogether different set of books." Henry Barnard found "want of suitable provision for uniformity of textbooks" one of the defects of the school laws, and his school law prescribed as one of the duties of the Commissioner of Public Schools, "to recommend the best textbooks, and secure, as far as practicable, a uniformity in the schools of at least every town," and empowered school committees "to prescribe . . . a general system of rules and regulations for . . . studies, books . . . and methods of instruction in the public schools."

Statutory Regulation.—A general law enacted in 1870 forbade superintendents of schools, members of school committees and

other persons officially connected with public schools to receive any private fee, gratuity, donation or compensation, in any manner whatsoever, for promoting the sale or exchange of any school book, map or chart in any public school, and other persons to offer fees, commission or compensation to public school officers for promoting such sales or exchanges. Changes in textbooks might be made thereafter only by two-thirds vote of the school committee* after notice in writing had been given at a previous meeting, and not oftener than once in three years without the consent of the State Board of Education. This law of 1870 is, substantially, law at the present time. In two decisions under the law the Commissioner of Public Schools has held that a change of editions may not be a change of textbooks, and that reconsideration of an order to change textbooks, unless notice of the motion to reconsider suspends the original change, is an attempted second change and violates the law.†

The law of 1870 solved two textbook problems. The main problem, that of supplying textbooks, was as serious in its effect upon the schools as upon the pocketbooks of parents. Presuming that textbooks are necessary, the beginning of efficient instruction must await the time when scholars are amply provided with these important accessories, and scholars tardily provided with books, or without books, must be a continual handicap to reasonable progress. The masters of Providence schools were ordered, in 1804, to "receive no scholars unless they are severally furnished with such books as are studied in the several classes to which such scholar belongs," but the same order provided a way for supplying books for "scholars whose parents or guardians may not be able to furnish them with the necessary books." In 1822 masters were ordered to "attend personally on parents . . . and others having charge of children who attend their respective

*By a majority vote of the elected members in Providence.

†School Law of Rhode Island, 1914, 67.

schools and inform them that unless they are furnished with suitable books, or make it appear satisfactorily that they are not able to procure these, that they will be liable to be dismissed from school." Newport dealt with the textbook problem by supplying free textbooks and charging tuition to cover the cost. Neither the law of 1828 nor the law of 1839 empowered school committees to supply textbooks or make other provision for scholars not provided with books.

The Problem Recognized.—The Barnard school act required school trustees "to see that scholars are properly supplied with books, and in case they are not, and the parents and guardians or master have been notified thereof by the teacher, to provide the same at the expense of the district and add the price thereof to the next school tax or rate bill of said parents." The act safeguarded the children of the poor through its provision for exemption from tuition charges at the discretion of the trustees, and the positive rule that no child should be excluded from school for inability of his parents or guardians to pay rate bill or other tax. Mr. Barnard explained the section of the law thus: "Nothing short of the power with which the trustees are here invested will do away with the complaints, and just complaints of teachers, respecting the inadequate supply of suitable books. In more than four-fifths of the returns which have been received from teachers a number of children are mentioned as not supplied with books. It would be better in most of the districts, and even the towns, to have the books purchased by or under the direction of the school committee or trustees, and furnished, when needed, to the children, and the expense put upon the tax or rate bill of the parents."

Commissioner Potter recognized the expense of providing textbooks as one of the reasons for parents' neglect to send children to school, and as a cause for poor school attendance. Commissioner Allyn advocated the supplying of textbooks by

school committees, or the purchase by school officers of sufficient supplies of books and the loaning of books to scholars at a small rental—perhaps free textbooks. He, too, considered the expense of providing textbooks as detrimental to school attendance.

Free Textbooks.—The abolition of rate bills in 1868 marked a step in advance toward free textbooks. The duty of school trustees to supply books for scholars not otherwise provided continued; but the expense thereafter could no longer be charged to parents. In 1893 the General Assembly enacted a free textbook law, requiring the school committee of every city and town to “purchase at the expense of such city or town, textbooks and other school supplies used in the public schools,” and to loan them “to the pupils of said public schools free of charge, subject to such rules and regulations as to care and custody as the school committee may prescribe.” The law was construed by Commissioner Ranger in 1906 as mandatory, obligating school committees to provide free textbooks at the expense of towns, even though no money had been appropriated or was available for the purpose.*

The three textbook problems have been solved: First, that of supply, by the free textbook law; second, that of choice, by the power given exclusively to school committees; third, that of change, by the law restricting changes to once in three years. Since 1857 it has been one of the duties of the Commissioner of Public Schools to recommend as far as practicable uniformity of textbooks in all the towns of the state.

SCHOOL ATTENDANCE.

It is scarcely merely a coincidence that Francis Wayland in 1828, the representatives of the Providence Association of Mechanics and Manufacturers in 1839, Wilkins Updike in 1843, and Henry Barnard in 1844 found the deficiencies of the public

*School Law of Rhode Island, 1914, 67.

schools of their time a cause sufficient to explain a considerable proportion of poor attendance. The facts that so many children in Providence attended private schools, and that public school attendance in Providence invariably increased after reforms or improvements in the schools, supported the position of Wayland and the Mechanics. Updike believed that such improvements in rural schools as would carry them to the standard maintained in Providence in 1843, would attract pupils to them and remedy evil school conditions throughout the state. Barnard's recommendations urged improved schools. His specific remedies—(1) a regular time each year for the school term, (2) a regular time for admitting pupils, (3) a regular time for beginning school sessions, (4) forfeiture of school privileges for poor attendance, (5) regular attendance, (6) careful records of attendance and class work, (7) weekly and monthly reports to parents, and (8) specified holidays and no others—tended to cure irregular attendance and to improve average attendance records, rather than school enrollment. None of the reformers mentioned urged compulsory attendance.

To provide for the keeping of the records required by the Barnard act, the Commissioner of Public Schools was ordered in 1846 to furnish a suitable register for each district school. The total enrollment in 1845 was 20,096; in 1850 it was 24,743, with average attendance only 13,282; in 1855 total enrollment was 26,883 and average attendance 18,998. School population was estimated in 1850 as 33,958, and in 1855 as 39,001. The slight gain in enrollment fell far behind the increase in school population; the gain in average attendance was more comforting. Comparing total enrollment in 1852 and 1857, Commissioner Allyn found an actual decrease of three per cent., and a loss in average attendance of two per cent.

The Religious Question.—Commissioner Potter urged the abolition of rate bills as one solution of the attendance problem. Commissioner Allyn was convinced that textbook exactions

were a vexatious cause for poor attendance. Two bills dealing with truancy were passed by the Rhode Island House of Representatives in 1853, but failed of passage in the Senate. One empowered towns and cities to provide by ordinance for the punishment of "truant children between the ages of 5 and 15 who are growing up in ignorance, are without regular or lawful occupation and are habitual truants from school," by fine or imprisonment in reformatory institutions. The other bill conferred similar powers upon the city of Providence. Commissioner Potter expressed his satisfaction at the defeat of both bills, which were intended to deal with the withdrawal of Roman Catholic children from the public schools of Providence after the opening of parochial schools in that city. In May, 1851, the school committee of Providence noted "a considerable diminution of the numbers attending several of the schools has recently taken place by the removal of children of Roman Catholic parents, schools having been provided for them under the immediate supervision of the clergy of their order and several of the Sisters of Mercy." In 1855 "this apparent decrease in the number of children attending our public schools, notwithstanding the large increase in population," was accounted for "by the fact that several hundred children have been withdrawn to attend upon the Roman Catholic schools." The several hundred were over 600, and in 1865 the number had increased to 1273.

Commissioner Potter's objection to the truancy bills was consistent with his firm opposition to any action savoring of sectarianism or bigotry. A bitter controversy over the parochial school question was then raging in other states. Commissioner Potter presented voluminous extracts from the arguments of both parties, as supplements to his regular reports to the General Assembly. He laid down the rule still governing devotional exercises and the reading of the Bible in public schools: "The reading of the Bible or conducting other devo-

tional exercises at the opening or closing of schools is neither forbidden nor commanded by law, and rests with the teacher, who should respect his own conscience and the consciences of his pupils and their parents." It is equally clear from Commissioner Potter's report for 1853 that he was opposed to compulsory attendance as an invasion of the rights of individual liberty and the right of free and liberal thought. State control of education and compulsory education he characterized as first steps toward despotism. He believed, however, that no obstacle should be permitted to stand in the way of attendance at public schools; hence his plea for abolition of rate bills.

Factory Legislation.—The General Assembly in 1853 limited the hours of labor of children employed in factories, and in 1854 forbade the employment of minors under 15 in factories for more than nine months in a year and unless the minor had attended school three months in the preceding year. Commissioner Allyn was ordered in 1855 to ascertain and report the number of children in the state between the ages of 6 and 15 years who are habitual truants from public schools, with suggestions and recommendations. A law permitting towns and cities to "make all needful provision and arrangements concerning habitual truants and children between the ages of 6 and 16, not attending school, without any regular employment, and growing up in ignorance, and also, such ordinances and by-laws respecting such children as shall be deemed most conducive to their welfare and the good order of such town," followed. Such children might be committed to "any such institution of instruction or suitable situation as may be provided for that purpose," but not "to any place used for the reception of criminals or to any reform school." Ordinances and by-laws must be approved by the Commissioner of Public Schools. The law was clearly defective and scarcely likely to be enforced, for two reasons: (1) That it *empowered* but did not *require*, towns and cities to act, and (2) that there were no "institutions of instruction . . . provided for that

purpose," nor was it probable that any city or town would establish such an institution. It was idle, too, to attempt to enforce a law by fining a minor, when there was no alternative penalty and no effective way of enforcing payment. It was also impracticable to attempt to enforce compulsory attendance while tuition was charged. In such condition the law remained until the early 70's. The abolition of rate bills paved the way for a more practicable way of dealing with attendance and truancy problems.

The Color Question.—While school authorities were still groping in the attempt to find a remedy for poor attendance, one class of citizens was demanding equal school privileges. As early as 1828 Providence established a separate school for colored children in the old Brick schoolhouse on Meeting street. In 1836 a committee that investigated decreased attendance at this school found the cause to be "an unhappy prejudice of the colored people against him" (the schoolmaster), which, "although . . . generally unfounded . . . goes to destroy his usefulness." The committee recommended discontinuance of the school and the establishment of two schools, to be kept by women teachers. The second school, on Pond street, was opened in 1837, discontinued in 1839 and reopened in 1842, from which year until 1865 the city maintained two separate schools for colored children. The state law provided no remedy for discrimination, for these children were excluded from the public schools nearest their homes by force of a "general regulation applicable to all persons under the same circumstances," and their appeal must rely upon sentiment for support while schools were provided for them of a grade corresponding with other public schools. The situation changed, however, when colored children were excluded altogether from the high school in Providence.

Newport and Bristol also had established separate schools for colored children. A number of petitions praying for relief from

discrimination and for equal rights were presented to the General Assembly in the early 60's, committees were appointed and hearings were held. There was opposition to interference with the school systems under investigation, but in 1866 the result almost inevitable in a northern state immediately after the Civil War, was reached. Thus it happened that discrimination because of color was forbidden in Rhode Island public schools before the ratification of the Fourteenth Amendment to the Constitution of the United States. It may be recalled that the free school act of 1800 had provided for the "instruction of all the white inhabitants" between the ages of 6 and 20 years. The Newport school act of 1825 authorized the seaport town to raise a tax "for educating the white children of the town." The basis of apportioning school money for more than a generation after 1831 was white population under 15, colored population under 10 and five-fourteenths of colored population between the ages of 10 and 24 years; but this provision, much as it resembles Section 2 of Article 1 of the Constitution of the United States, was intended, not as a discrimination against the colored population, but as a way of reducing census figures, not so elaborate in the classification of negroes as of white persons, to the same basis for all classes of population. The city of Providence, notwithstanding the general law, even after its enactment, maintained practically separate schools for colored children, by withdrawal of white children from two schools in precincts where the colored population was segregated. No colored child could be compelled, after the law was passed, to attend either school, and in course of time the distinction disappeared as the colored population scattered into other sections of the city.

Commissioner Bicknell's Effort.—A vigorous renewal of effort to improve the attendance record was begun by Commissioner Bicknell, soon after his appointment in 1869. His appeal to the people of the state was based upon the growth of illiteracy.

The facts upon which he relied are presented here in tabular form, with the population of the state appended for readers who wish to make comparisons :

Year.		Total.	Native born.	Foreign born.	White.	Black.	Popu-lation.
1850.	Illiterates over 20 years.	3,607	1,248	2,359	3,340	267	147,545
1860.	Illiterates over 20 years.	6,112	1,202	4,910	5,582	260	174,620
1865.	Illiterates over 20 years.	10,181	1,552	8,629	.....	.....	184,965
1870.	Illiterates over 21 years.	16,786	.....	.....	.....	.....	217,353
1870.	Illiterates over 10 years.	21,901	4,444	17,477	21,011	890	217,353
1870.	Illiterates 10 to 21 years.	5,115	.....	.....	.....	.....	217,353

When the figures are studied carefully and analyzed, they are not so startling as first appearances make them. Rhode Island was in no way to blame for illiteracy among so much of the foreign born population as came to the state after school age; nor for an increase in illiteracy, gross or in proportion to population, due to a large immigration of foreigners; nor probably for the large increase in illiteracy among the colored population, recruited as it was after the Civil War by a migration of freedmen from the south. Moreover, the gross figures for 1870 are for population over 10 years of age, while the statistics for earlier years start with 21 years. It was not comfortable, of course, to find so large a number of illiterate adults in a small democracy.

The fact that there were over 5,000 illiterates between the ages of 10 and 21 years indicated a field for improvement. "There is still opportunity, if there is little hope" for these, wrote Commissioner Bicknell. "In a large degree they either belong to our truant and vagrant population . . . or to another class, which by the cupidity of parents or employers is obliged to pass the tender and formative period of childhood and youth in the factory, where nimble fingers are made to

enrich the capitalist or to aid in the support of the family, at the expense of that necessary intelligence which fits boys and girls for the ranks of society and citizenship. Add to these a class of children whose only birthright is poverty, neglect and misfortune, who must keep the wolf and the sheriff from the door by early toil, trial and sorrow, and we have before us the unpromising minor illiterates of our state."

Commissioner Bicknell proposed seven remedies : (1) Excellent common schools, (2) intelligent and interested public sentiment strongly positive in favor of universal education, (3) enforcement of a law forbidding the employment of children under 12 in factories, (4) enforcement of a law compelling factory children to attend school five months per year, (5) a truant and vagrancy law, (6) evening schools for persons over 16 years of age, (7) a literacy test as a qualification for suffrage rights.

Legislative Regulations.—The General Assembly responded immediately with (1) laws (a) forbidding the employment of children under 12 in factories, (b) requiring children under 15 employed in factories to attend school at least three months each year and limiting the period of legal employment to nine months per year, and (c) requiring (instead of merely authorizing) towns to adopt truancy ordinances, and (2) with an appropriation for evening school support, to be apportioned by the State Board of Education. This was the beginning of state support of evening schools, but not the beginning of evening schools in Rhode Island. Public evening schools had been conducted in Providence from 1850, free evening schools under philanthropic auspices as early as 1842, and private evening schools from 1800.

Improved Attendance Laws.—Later statutes dealing with school attendance and truancy have produced an almost perfect law. Since 1878 an annual census of children of school age has been

required by statute. Since 1887 the appointment of truant officers has been required in every town in the state. In 1887 the penalty for failure to adopt a truancy ordinance was made forfeiture of one-half the town's share of state school money.

In 1902 the state assumed responsibility for enforcing attendance laws through a statute providing penalties for truancy and neglect to send children to school. The law has reached beyond the child to his parent or guardian, requiring the person in custody of the child to send him to day school regularly. The period of school attendance has been increased; in 1887 it was made 80 days; in 1898 it became one full term, or half the school year, in Providence; since 1902 it has been the full school year throughout the state. A beginning was made in 1887 of requiring children aged from 12 to 15 years, at work, to present certificates of school attendance. As the law stands now, children (1) between the ages of 7 and 16 years, and children (2) in their 15th and 16th years, who are not regularly employed, are required to attend day school regularly until they have completed the studies taught in the first eight years of school attendance, exclusive of kindergarten instruction. The child and his parent or guardian are responsible for his attendance. No child under 16 may be employed in a factory or other business establishment without a certificate that the child is 14 years of age, able to read and write legibly simple sentences in the English language, and is of sound health and physically fit for employment. Children under 14 who have completed the elementary school grades may not be employed in factories, and must attend school if sent there by parent or guardian; but the obligation of the parent to send the child to school ends when the elementary school work is completed. The machinery of enforcing the law centres in the school committee, which (1) is required to take an annual census of children of school age, which (2) has access to records of attendance and enrollment kept by teachers, which (3) is required to appoint truant officers,

and which (4) issues age and employment certificates. The difference between the census total and total school enrollment indicates a field for work by the truant officer, while his duties include also attention to habitual and occasional truants among enrolled pupils. In lieu of attendance at public day schools, children may attend other schools or receive private instruction approved by the school committee. Truant officers and state factory inspectors are charged with enforcement of the age and employment certificate law. Two defects in the law, (1) failure to limit the issuing of age and employment certificates to children who have actually secured employment, and exclusively for the particular employment secured; and (2) failure to provide for the return of a certificate to the school authorities when the child is no longer employed, have been cured by legislation enacted in 1916. An advance toward more perfect detail might be made through an extension of the school census to include children beyond school age, and by an extension of the age and employment certificate law to include children up to 18 years of age. The information that would be gathered were the census extended might indicate the value of a law requiring children under 18, not regularly employed, to attend school.

PROVISION FOR TRAINING TEACHERS.

The incompetency and inefficiency of teachers was a frequent cause for complaint and criticism of public schools in the first half of the nineteenth century. The utter inadequacy of wages paid was a sufficient explanation for indifferent quality of service rendered. And yet there were teachers in those old-time schools who overcame difficulties that would appall a modern teacher and who left memories that endeared them to their pupils. The odious comparison of the efficiency of modern schools with an alleged perfection in the little red district school is passing only with the death of the few lingering survivors of an ancient regime. It is impossible to believe that the practice

of teaching has not improved with advancement of the science of education, the increasing and improving facilities for training teachers, and the wealth of accessories designed to help teacher and pupil. If it be granted that certain qualities in the perfect teacher seem to be intuitive and to develop almost instinctively, the concession amounts only to recognition of the fundamental principle that nothing can be made by man without suitable material. It is as impossible to make a good teacher out of a young man or a young woman who has no native ability and none of the "natural qualities" of a teacher, as it is to make good butter out of skimmed milk. Training makes the teacher with natural talent a better teacher. When for reminiscences of school days, written years after leaving school, based upon immature and untrained observation mellowed by the lapse of time, are substituted the opinions of mature contemporaries, written immediately after investigation, the picture of the perfection of the early teacher loses much of its glamor.

Henry Barnard's Effort.—The necessity for training teachers was urged by Wilkins Updike in his memorable address in 1843. While Henry Barnard, in his reports, said little of inefficiency among teachers, he so persistently advocated measures for the improvement of teaching as to leave no doubt of his opinion. He did say that if teachers were properly examined "the public schools will cease to be *cities of refuge* for those who can find no abiding place elsewhere, or who assume the duties because they are less onerous or more lucrative than any other employment for the brief period of three or four months." The measures that he proposed for improving teaching were, principally, teachers' institutes, the purchase and circulation of books dealing with the science of teaching, the establishment of a model school, the establishment of a normal school, the examination and certification of teachers, the circulation of educational periodicals, and the substitution, in primary schools, of women for men teachers, the last for two reasons, based upon

efficiency rather than competency, first, because women were better fitted for the work of teaching small children and would lend refinement to the lower schools, and, secondly, because their wages were about one-half the wages that must be paid to men teachers.

Some progress toward the accomplishment of all but two of the improvements suggested by Henry Barnard was made before his resignation. An educational library of at least 30 volumes was placed in every town. He published his *Journal of the Rhode Island Institute of Instruction* for three years, and circulated it among the teachers of the state; it was followed by the *Educational Magazine*, started by Commissioner Potter, and in 1855 by the *Rhode Island Schoolmaster*. In 1874 the *Schoolmaster* was absorbed by the *New England Journal of Education*. The three Rhode Island publications were assisted by state appropriations. Teachers' institutes were conducted by Henry Barnard and experienced teachers under his direction. The state made its first annual appropriation for teachers' institutes in 1849. The Rhode Island Institute of Instruction, organized at Mr. Barnard's suggestion, received his hearty support and encouragement, and has had a continuous history since 1844. Women teachers gradually replaced men teachers. Mr. Barnard in one year helped 50 young women to positions. The provision for a model school was stricken from the Barnard school bill, and the normal school which the law of 1845 authorized the Commissioner of Public Schools to establish was delayed.

First Normal Schools.—Commissioner Potter was a persistent advocate of a normal school, and through his efforts the first normal school in the state was established as a department of Brown University. In his report for 1850, he said: "It may be well to consider whether some arrangement may not be made by which the advantages now enjoyed by a few only, by means of the college, may be made more accessible to all, and may in

some measure, perhaps, supply the want of a normal school. Brown University already has a complete organization. . . . To set up a new institution for education of teachers would require large expenditure of money, energy and time." In August, 1850, a committee of the General Assembly was appointed to confer with a committee from Brown University on the establishment of a professorship of didactics, and to consider whether or not it is practicable for the state and the university to unite the office of Commissioner of Public Schools and said professorship in the same person. The result of the conference does not appear in the Schedules by committee report, but in 1850 the university established a normal department, with Samuel S. Greene, then also Superintendent of Schools in Providence, as professor of didactics. The arrangement was short lived; it was imperfect for two reasons : (1) The university did not receive women as students, and (2) no provision was made for state free scholarships or other aid for students or the department.

In 1852 a private normal school was established in Providence with a faculty consisting of Professor Greene and Messrs. Russell, Colburn and Guyot, respectively, instructors in grammar, elocution, mathematics and geography. This school was a failure financially, because the tuition charges necessary, without public assistance, to maintain it at high grade were beyond the means of the clientage it must attract. It was abandoned after a short trial. Dana P. Colburn and Arthur P. Sumner, on May 29, 1854, opened a state-aided normal school in Providence, for which the General Assembly had appropriated \$3,000, to be expended by the Commissioner of Public Schools. In 1857 the Commissioner of Public Schools was authorized to locate the normal school in Woonsocket or in the compact part of any town or city in the state, where it shall appear to him that suitable rooms can be had for a term of not less than four years without expense to the state. The normal school was

removed to Bristol. It was abandoned in 1865. The General Assembly, in 1866, began making annual appropriations to aid the training of teachers at academies and other institutions in various parts of the state. The present Rhode Island Normal School was established in 1871 in Providence.

TOWN *vs.* DISTRICT SCHOOL ADMINISTRATION.

The free school act of 1800 ordered the division of towns into school districts; the ample power conferred upon school districts to raise money by taxation for schoolhouse building and school support was one cause for dissatisfaction with the act which led to its repeal. The law of 1828 permitted the division of towns into school districts, but conferred the taxing power exclusively on the freemen assembled in town meeting, and the administration of schools, including the location of schoolhouses and the hiring of teachers, exclusively on the town school committee. The law of 1839, while more ample in detail, changed the provision for school support and school administration but little. Under it the school district became a body corporate, with power to hold school property, but lacking the power to levy a tax of any kind without a special act of the General Assembly. By general law in 1844 school districts were given the taxing power.

The Barnard School District Fallacy.—While Henry Barnard characterized school administration by the town system, that is exclusively by a town school committee, as the “wisest course,” his school law of 1845 raised the school district to the dignity and power of an administrative unit. It permitted school districts to build schoolhouses and assume the management of the district schools through school trustees. It permitted the school trustees to hire teachers, and to fix the time for keeping school. The powers entrusted to school trustees rivalled those conferred upon the town school committee. The law assured to each

district a share in the state school money, which must be apportioned to districts, one-half equally and one-half in proportion to average daily attendance. It imposed no irrecusable obligation upon the districts to support schools by taxation, for it permitted the raising of school money, beyond the state and town provision, by rate bill. The Barnard theory was that the districts would support good schools if given a reasonable measure of power to control the spending of money raised for the purpose. His law restricted the creation of weak districts and the division of populous districts in which graded schools were practicable. The theory was attractive and was generally accepted by educators at the period; experience proved that it was fallacious. To be sure, most wealthy districts maintained good schools, though there were districts in which wealth was concentrated in the hands of a few close-fisted obstructionists, or wealthy men who were willing to spend their money liberally to educate their own children in private schools and who cared nothing for the local district school. Populous and compact industrial districts failed to measure up to Henry Barnard's expectation that they would become centres for excellent graded schools. The populous and compact districts in Rhode Island were mostly factory villages, and the children worked instead of going to school. Small and weak districts were a constant care.

The immediate, first effects of the Barnard district school organization were encouraging, although the improvement was in spots rather than universal. The best school districts built new schoolhouses and entered heartily upon the Barnard programme for improvement. Their example and the zeal of Henry Barnard stimulated others, but the laggards remained, and the inequalities usually produced by a district system, even in the confines of a single town, became apparent quickly. Every Commissioner of Public Schools after Henry Barnard recommended a radical modification of the district organization, or its abolition.

His Own Recognition of the Fallacy.—Henry Barnard recognized the advantages of town school organization. His act conferred upon towns the power “to establish and maintain without forming or recognizing, when formed, such districts, a sufficient number of public schools of different grades, at convenient locations, under the entire management of the school committee.” “The option given to the towns to lay off their territory into primary districts, or to maintain a sufficient number of schools of different grades for all the children of the town, was introduced,” Henry Barnard remarked, “to meet the present practice of the towns of Warren, Bristol and Newport. It would be better for the cause of education if more of the towns would act under the power given in this paragraph. A classification of the children, not according to their location, but according to age, studies and proficiency, is the great object to be attained, and the facility for doing so, when enjoyed as now by compact villages, ought not to be thrown away.” With this appreciation of the advantages of the town system already established in Rhode Island it is difficult to reconcile Henry Barnard’s measures for enlarging the powers of districts, except on the ground of expediency—and expediency for the moment. The state problem was to be attacked by him in small sections. State responsibility was to be developed through local responsibility. But, strengthening the hands of the districts meant, ultimately, a harder task to abolish them and establish a town system. And, meanwhile, the continuation of the district system involved the continuation of inequalities of taxation and inequalities of school privileges; the continuance of a division of authority in school administration; the continuance of decentralization and aberration from standards, when the crying need of the time was centralization and the attainment of standards.

Hampering Legislation.—Legislation after 1845 tended to make the process of redeeming the state from the district system

difficult. The act of 1845 gave towns the privilege of disregarding districts in reorganizing school systems under the act; did it permit abolition of districts or disregard of districts once a district system was established or recognized after the act of 1845? It permitted school committees to take over the management of schools in districts which failed to organize or to keep school; it permitted districts to surrender control of district schools to town school committees, if the town consented. It made no clear provision for town rights over districts complying with the law and not willing to surrender district privileges. Revisions of the school law repeated the language used in the act of 1845. To a construction of the Barnard law as conferring an option, which expired once it was exercised, a law enacted in 1846 gave sanction. This law was passed to quiet claims that the Barnard act abolished all districts existing prior to 1845 and required reorganization of every town system under the law of 1845. The law of 1846 confirmed the lines of existing districts until changed by the school committee.

Revisions of the law proceeded with attention to language rather than to meaning. The revision of 1857, for example, (1) gave towns power to establish schools without forming districts, and (2) declared that "all existing districts shall continue until legally altered," and (3) gave school committees the exclusive power to alter and discontinue school districts.* There was no definite provision in the law for the discontinuance of *all* districts. Moreover, the act of 1851 and subsequent school acts gave towns the power to build schoolhouses for districts, but forbade the assessment of taxes for this purpose on any district that had already built its own schoolhouse. Presuming that strong districts had provided schoolhouses, a town undertaking to help its weak districts was limited by the tax restriction. The restriction aimed at justice through the

*Bull vs. School Committee, 11 R. I. 244, upheld the committee's right to discontinue a district, by dividing it and joining the parts to other districts.

equalization of taxation, and at encouraging districts to build without fear of "double" taxation, but it almost inhibited exercise by the town of the very power which the law conferred.

Although the law specified and distinguished the powers of school committees and trustees, these officers were not infrequently in conflict, while the intricacies of the law governing district meetings and proceedings, and the large number of separate organizations under the district system as compared with the small number of towns, multiplied the possibility of friction. Abolition of districts meant (1) a reduction in the number of school organizations or administrative units, (2) stronger school organizations through union, (3) a concentration of power and responsibility in the hands of school committees, (4) freedom for the towns in dealing with educational problems, besides (5) all the possibilities of improvement through consolidation and grading of schools. The law of 1845 permitted the union of primary districts to conduct a union secondary or grammar school, and the union of contiguous districts in the same and adjoining towns to conduct union schools, without the loss of the shares of the original districts in school appropriations. But the law left the town's power to abolish districts or to unite all districts, by vote of the town, doubtful. The law of 1872 omitted the clause confirming district lines. In 1884 the General Assembly removed the doubt by passing a law conferring the power to abolish school districts upon the town meeting, and 20 years later, abolished all districts remaining.*

ORIENTATION OF THE COMMISSIONER.

The Commissioner of Public Schools was an entirely new officer in Rhode Island; he must find his place. Of this officer

*Comstock vs. School Committee, 17 R. I. 827, denied the right to take the vote to abolish districts in district meetings; action must be taken in town meeting. The act abolishing districts was held to be constitutional. *In re* School Committee, North Smithfield, 26 R. I. 165; confirmed 34 R. I. 526. And see 18 R. I. 417.

Henry Barnard said: "The officer whose appointment is provided for in this section should be selected with special reference to his knowledge and experience in all matters relating to schools, school systems and education generally, and should have no connection with political parties into which the legislature or the community may be divided on local or national questions. Experience in other states has shown that the selection of the proper person had better be left to the governor or a small body, while the legislature exercises an effectual check on the employment of an incompetent person in their control of his compensation. . . . The report of the Agent of Public Schools for the year will show some of the ways in which an officer charged with the broad and general duties contemplated . . . can advance the interests of public schools and of popular education generally. Great as are the benefits which should result from the faithful discharge of his public duties, such as the visitation and examination of schools, and addresses in schools and public meetings, they are few and small compared with the benefits which the Commissioner might and ought to render by his personal communication with school officers and parents."

Functions of the Commissioner. — The law made the Commissioner more than a genial conversationalist or correspondent. Besides being (1) an educational expert competent to advise the General Assembly in its capacity as a state school committee, (2) a publicity agent for projects for school improvement, (3) an efficiency agent for awakening and maintaining public interest in schools, and (4) the amiable counsellor of school officers, teachers and parents, the specific duties prescribed for the Commissioner made him (5) dispenser of the state school money, (6) a state superintendent of schools with visitorial and inquisitorial powers, (7) an agent charged with the improvement of teachers and teaching, (8) a school statistician, and (9) a judicial officer whose function it was to reduce the friction of parts and attend to the mechanics of a small system of laws

involving, however, a multiplicity of public interest. He must be an expert educator, a sound counsellor, an able administrator, a firm executive, an efficient diplomat, and a just man—the last to protect himself from the entanglements with which his intimate and intricate relations with so many officers and people threatened him. His judicial power was of the utmost importance, because it strengthened his position in most other relations. It gave his advice a weight that it could not have had otherwise, for a school officer or school committee which neglected the advice of the Commissioner of Public Schools ran the risk of having his or their action reviewed by the Commissioner on appeal.

Efficiency of Commissioner Potter.—Henry Barnard's personality and prestige and the assured support of many of the most influential men in the state gave him an authority bound to be respected. His successors must meet the real test. Fortunately his immediate successor, Elisha R. Potter, afterward an Associate Justice of the Supreme Court of Rhode Island, was an able exponent of the judicial authority. The General Assembly established important precedents during the Barnard administration by referring petitions for the adjustment of school disputes to the Commissioner of Public Schools for settlement, in sharp contrast to its procedure before the adoption of the Constitution in hearing appeals from and setting aside judgments of its established courts.* Thus the appellate jurisdiction of the Commissioner of Public Schools was confirmed at the outset by the power which created it. But the General Assembly took a backward step by paying Commissioner Potter a smaller salary than it had provided for Commissioner Barnard. Commissioner Potter's salary should have been the same as Commissioner Barnard's if his services were worth as much to the state; if they were not worth the estab-

*Held unconstitutional. *In re Dorr*, 3 R. I. 299; *Taylor vs. Place*, 4 R. I. 324. Before the adoption of the Constitution the General Assembly exercised supreme judicial authority.

lished salary, the state should have sought a man for the office who was worth the compensation. As a matter of fact, Commissioner Potter proved to be an excellent official. He grasped the opportunity to save the office and to save the state from reaction and retrogression. He was well prepared to do this by training and by actual experience as an associate and assistant of Henry Barnard. While the latter was ill and absent from the state in 1846, Mr. Potter prepared for publication a codification of the school law, with explanatory remarks and commentaries, and a set of 39 forms for use by school officers in transacting school business under the statutes. A second edition, including amendments to the law, was printed in 1847. In 1851 Commissioner Potter published the text of the revised school law, written in part by him, with remarks and commentaries and a set of revised forms. His series of thirteen decisions, most of them approved by a justice of the Supreme Court, established the appellate jurisdiction of the Commissioner of Public Schools by exercise and precedent. Finally, as Associate Justice of the Supreme Court in 1873, he wrote the opinion of the court in the *Appeal of Cottrell*, 10 R. I. 615. This decision held that the appellate jurisdiction of the Commissioner of Public Schools is not limited to complaints arising from infraction of law, but extends to reviewing acts within the discretion of school officers. The decision overruled a contrary ruling in *Gardner's Appeal*, 4 R. I. 602. Commissioner Allyn likewise upheld the judicial authority of his office; Chief Justice Ames confirmed his ruling that the decision of the Commissioner of Public Schools, after approval by a justice of the Supreme Court, is final, and may not be set aside for rehearing. The position of the Commissioner was further strengthened by the decision in *Smith's Appeal*, 4 R. I. 590, holding that the Commissioner's finding of facts is conclusive; and that a justice considering the Commissioner's decision for approval may review only findings of law. These decisions define the appellate jurisdiction of the Com-

missioner of Public Schools thus: 1. An appeal need not rest upon a violation of law. 2. The Commissioner's finding of facts is final. 3. The Commissioner's interpretation of the law is final when confirmed by a justice of the Supreme Court. 4. His tribunal is a court of policy as well as of law.

Henry Barnard had been the confidential adviser of the General Assembly, which invited him to deliver his reports personally and orally. Not all of his suggestions were adopted. The act of 1845 differed materially from the bill drawn and advocated by Henry Barnard, although the latter, in most respects, was rather a codification of than a radical departure from existing school law, custom and practice. Commissioner Potter's influence with the General Assembly was almost as great as Henry Barnard's. Born in the same year as Henry Barnard, 1811, Elisha R. Potter was son of Elisha R. Potter, lawyer, state legislator and congressman, who served the state in the General Assembly from 1796 to his death in 1835 almost continuously, save for four terms in Congress. The younger Potter was Adjutant General of Rhode Island in 1835 and 1836, Representative in Congress, 1843 to 1845, assistant to Henry Barnard in 1846, and member of the General Assembly many terms. Thus he was a trained public officer, besides being by profession a lawyer.*

Under Commissioners Barnard and Potter the state department of public schools was for 10 years in close touch with the General Assembly. But after that the Commissioner's influence diminished; he became less an adviser than an officer whose relation to the General Assembly was confined to presentation of an annual report. Commissioner Potter probably foresaw this condition; he realized the limitations of an office clothed principally with advisory powers. In 1855 he recommended the creation of a state board of education as an

*Henry Barnard was admitted to the bar in Connecticut in 1835. Horace Mann was a lawyer. Commissioner Draper of New York was a lawyer.

agency for strengthening his department. This reform was adopted in 1870 on the recommendation of Commissioner Bicknell. Although the State Board has become the repository of many powers which might naturally fall to the Commissioner of Public Schools, his position as Secretary of the Board, as its expert adviser and as its agent with almost plenary powers, is even more influential than when he was the solitary state school officer. Still he was, until in 1896 the city of Providence was brought under the general state school law, an officer deprived of jurisdiction in the largest and most prosperous city in the state, maintaining the most elaborate school system. Only one Commissioner of Public Schools has ever made a direct appeal to the people or has sought through extensive use of the press to create and stimulate popular agitation. That his course was necessary it is difficult to believe; it was characteristic of a man whose penchant for the spectacular led him to seek such an outlet for his exuberant energy. Like his predecessors and successors, he was an able school officer, and he accomplished important progress in his few years of service. The time was ripe for the progress, however. The Commissioner of Public Schools has been, as a rule, a man who has worked quietly and unostentatiously, persistently and conscientiously, for school improvement.

SUMMARY.

By direction of the General Assembly, Henry Barnard made a survey of Rhode Island public schools in 1843-44.

The General Assembly, in 1845, enacted a school law drafted by Henry Barnard, which reorganized the public school system and established the foundation for the present public school system.

The most important immediate effects of the work of Henry Barnard were a splendid improvement in the physical condition

of schools, a marked advance in the qualifications of teachers, and an awakening amongst the people of the state of a genuine interest in education.

Much as Henry Barnard accomplished in his five years of service, more remained to be done, to carry into complete effect the projects which he had undertaken, to solve the problems which he had not solved, and to organize the system of schools to meet the conditions which, though not clearly foreseen, were the natural consequences of the changes wrought under Henry Barnard's leadership.

This chapter has selected six major problems, for analysis and for study of their solution in experience. While this treatment is advantageous for critical study, it involves a serious danger, that the essential unity of school administration may be lost sight of. It has seemed desirable, therefore, to present in the following chapter a chronological record.

CHAPTER V.

PUBLIC SCHOOLS TO FREE SCHOOLS.

Six major problems awaited solution in 1845 to perfect the system of public schools little more than outlined by the Barnard school act. Combined with minor problems, some original and many arising after 1845, altogether they made up a general problem for school improvement confronting the General Assembly, the Commissioner of Public Schools and other school officers. Solution of the major problems was not undertaken seriatim; the general problem was unitary. The following series of dates records chronologically important events marking progress toward the perfection of the system of elementary schools in Rhode Island :

- 1868. Abolition of rate bills.
- 1870. State Board of Education established.
- 1871. Rhode Island Normal School established.
- 1873. Appellate jurisdiction of Commissioner of Public Schools defined by the Supreme Court.
- 1882. Town maintenance of public schools made mandatory.
- 1884. Maximum state general school appropriation attained.
- 1884. Abolition of school districts permitted.
- 1893. Free textbooks ordered.
- 1898. State certification for all public school teachers.
- 1902. Full term school attendance made compulsory. The state assumed responsibility for enforcing attendance.
- 1904. All remaining school districts abolished, and the town system established throughout the state.

Abolition of tuition and free textbooks were necessary to make the public schools absolutely and completely free for all. Free schools must precede effective compulsory attendance laws, and compulsory attendance is necessary to insure universal education. Unless the state assumes the entire burden of school support, maintenance by sub-divisions of the state must be mandatory to insure schools in every section. The abolition of districts was an administrative reform, supplementing the mandatory town school support law. No satisfactory school system can be maintained without trained teachers; hence the necessity for a normal school, and state certification. A reasonable uniformity of conditions and progressive improvement require a strong central supervisory authority; hence the importance of the State Board of Education and the definition of the powers of the Commissioner of Public Schools. Thus each reform played its part in solution of the general problem.

A DECADE OF PROGRESS.

Henry Barnard's work as Commissioner of Public Schools was interrupted by serious illness, which ultimately forced him to resign with the tremendous task of physical rehabilitation of the public schools of the state still uncompleted. Of the progress made in six years, Commissioner Potter reported in 1850 that of 322 school districts 231 owned schoolhouses. In six years from 1844 more than \$150,000 had been expended outside of Providence, which, with \$210,000 devoted to rebuilding and new construction in the city, brought the total expenditure for buildings and equipment in Rhode Island to \$360,000.* In 1850 the state assessed its first general tax for school support, and increased its annual appropriation to \$35,000 in 1850, and to \$50,000 in 1854. The normal department in Brown University, the private normal school of 1852 and the state-aided

*Expenditures for buildings, sites, and equipment in each of two recent years have exceeded twice the amount spent in the six years from 1844 to 1850.

normal school of 1854 were projects promoted by Commissioner Potter.

Commissioner Potter's services in interpreting the Barnard act were invaluable. Details of the law were perfected, the law was revised in 1851, the appellate jurisdiction of the Commissioner of Public Schools was established through exercise and in practice, and uniformity was given to school administration and school reports through the preparation of accurate forms. Commissioner Potter was influential in repressing the religious controversy threatened by the opening of Roman Catholic parochial schools in a period when Know Nothingism was rising and lines were being drawn sharply elsewhere. He opposed legislation that would have brought State and Church into open conflict. Though measures were proposed which would have restricted the parochial schools, and tax exemption was limited for a brief period in 1855, the only measure of the period dealing with other than public schools proved ultimately beneficial to both public and private schools. This act conferred upon school committees the right to visit and inspect tax exempt institutions of learning and asylums. It was the beginning of legislation which brought parochial and other private schools under public supervision, sufficiently to insure universal education without prohibiting attendance at other than public schools.

Together the Barnard and Potter administrations comprised ten years of earnest support of practically a consistent, unchanged policy. While Commissioner Potter had been Commissioner Barnard's associate and assistant, he was more than merely a disciple of Henry Barnard. He was the practical man of affairs needed to carry into effect the work planned by Henry Barnard. He grew with years of ripening experience and devotion to public education. He had a vision of a higher education supported by the state, discussing in one report the place of a college in a state educational system. He believed that Rhode Island was backward in educational progress, and,

though he was consistent and persistent in advocating certain reforms, he was conservative rather than radical. He never, as Commissioner, passed beyond the notion of opportunity for public education into the modern conception of universal compulsory education.

YEARS OF QUIET DEVELOPMENT.

The third Commissioner of Public Schools was a clergyman, Rev. Robert Allyn of East Greenwich. His most important contributions to school history were a thorough investigation of truancy and absenteeism, undertaken at the request of the General Assembly in 1856, and the beginning of more complete statistical school reports than had been presented by his predecessors. The more important facts disclosed by his truancy and absence report were these: Children of school age, 30,749; children under six years in school, 2810; children over 15 years in school, 2343; due at school, 35,902. Children registered or enrolled in public schools, 27,130; in private schools, 2690; total enrollment, 29,820; not enrolled, 6082. Average attendance, 19,330; habitually absent, 6865; unable to attend, 532. This report, while lamenting poor enrollment and low average attendance, did not deal adequately with causes, and suggested no practical remedies. In his first report Commissioner Allyn recommended restriction of textbook abuses, abolition of districts, a state certificate law for teachers, and the provision of dictionaries and reference books at state expense, the last a measure adopted years after Commissioner Allyn's retirement. His decisions exceeded those of Commissioner Potter in number, and were important in substance, but his later reports to the General Assembly did not maintain the vigorous tone of his first report. They became pedagogical and better suited for addresses to meetings of teachers than to the General Assembly. Commissioner Allyn ranked neither with Henry Barnard as a schoolman, nor with Commissioner Potter as an administrator.

He lacked the clear understanding of school problems possessed by the former, and the legal and practical knowledge, and force of the latter. His administration marked the beginning of a period in which the department of education and the General Assembly tended to drift apart. Commissioner Allyn resigned his office to accept the chair of languages at Athens University, Ohio. He was subsequently President of Cincinnati Wesleyan Female College, President of McKendree College, and President of Southern Illinois Normal University.

John Kingsbury, Commissioner.—John Kingsbury was appointed Commissioner of Public Schools in 1858, following his retirement in the same year after 30 years as principal of Dr. Stockbridge's High School for Young Ladies. Although 58 years of age, he entered upon his duties as Commissioner with commendable vigor, visiting almost every school district in the state in the year of his incumbency. In this survey of the schools undertaken 15 years after the beginning of the Barnard movement, he found many towns still far behind the general average standard for the state, although he was optimistic. His report uncovered the inequalities of school conditions produced by the district system. He said: "The most remarkable circumstance to be noticed . . . is the great contrast, not so much between the structure and condition of the schoolhouses of the various towns—though there is here enough to challenge attention—as between the structure and condition of the schoolhouses of the same town, and sometimes between those of adjacent districts. Why is this so? Here is the same school law operating equally for the good of both, the same school committee to whom supervision of each is committed. In the one district you will find the schoolhouse beautiful, commodious, everything without and within being so arranged as to attract and win the hearts of the young. In the very next district everything is reversed. Instead of attraction, the prevailing principle as seen in the schoolhouse

and its surroundings is repulsion. Again it may be asked, why is it so? It is found on inquiry that there is an equal amount of wealth in both districts, an equal number of children to be educated, and that these children are equally dependent upon their education for the stations in life which they are to occupy. It may be found that all this difference may be traced to the activity, energy and liberality of a single individual. May such individuals be multiplied till not a discreditable schoolhouse can be found in Rhode Island."

It is clear from the quotation, as from Mr. Kingsbury's career, that he was not a public schoolman, and that he had not grasped the fundamental errors of the district system, though he recognized their effects. Indeed, he started on his work with the assumption that the school laws of the state were as nearly perfect as they could be made, and that his duty lay in suggesting improvements in the schools themselves rather than in the system. He found "great contrast . . . as between the structure and condition of the schoolhouses of the same town," and wondered why it was so, with "the same school law operating equally for the good of both." He did not realize that without a central authority, with power to enforce it, no general law operates equally. The supervisory powers granted to school committees, under the district system, were ineffective, and the Commissioner of Public Schools was unable to do more than suggest improvement while school support was not mandatory. Contrasts within the same town must be expected while districts were administrative units, with powers which might be exercised to produce great good, or neglected with consequent evil. Finally, his prayer for the multiplication of individuals whose "activity, energy and liberality" produced the difference between "attraction" and "repulsion" in schoolhouse conditions, was unworthy the head of the department of education in a democratic state. Mr. Kingsbury was a kindly, genial old gentleman, conscientious and painstaking, but he

lacked the public view of education. He retired from office at his own request that he be relieved.

Henry Rousmaniere, Commissioner.—Joshua B. Chapin succeeded John Kingsbury as Commissioner of Public Schools in 1859. Governor Sprague appointed Henry Rousmaniere Commissioner in 1861 and 1862. Dr. Chapin returned to office in 1863, remaining until 1869. The Civil War overshadowed school and all other interests during Mr. Rousmaniere's administration. He introduced a new feature in the School Reports. Earlier Commissioners had reprinted such town reports as reached the state office as appendices to their own reports to the General Assembly. Mr. Rousmaniere made selections from the town reports and printed them topically, in such manner that it was possible by reference to any phase of school activity to find out exactly what every town reporting was doing in that line.

Joshua Chapin's Recommendations.—Dr. Chapin advocated various reforms, among them a longer school year, the employment of town school superintendents by all towns, increased state appropriations for school support, restriction upon the creation of new school districts, modification of the district system, employment of women teachers to replace men teachers in the lower elementary schools, and better wages for women teachers. He declared that a four months school year, the minimum standard since 1845, was uneconomical because of the time lost in organization every year, and wasteful because of the loss in the eight months between school terms. His remedy for one evil of the district system was transfer of the power to hire teachers from district trustees to school committees—an improvement that might have had far-reaching effect had it received the sanction of the General Assembly. The reform involved a return to the practice before the Barnard act. The same reform was advocated in the first report of the State Board

of Education. It was accomplished only when districts and district trustees were abolished. He based his recommendation for the employment of women as teachers exclusively upon efficiency, not as had Henry Barnard partly on economy, for Dr. Chapin believed that women teachers should be paid better wages than was customary in his time. "I have yet to learn a good reason," he said, "why a female teacher doing the same service as a male teacher, and doing it better, should not have at least equal pay." "Females have peculiar talent, and when properly educated, have greater power over the manners, morals and minds of children. They have a stonger interest, more skill, patience, tact. They have a facility for placing themselves in sympathy with young hearts. In matters of government and discipline they often succeed best where it was predicted they would uniformly fail." His preference for women teachers was based on observation of school conditions.

A law enacted in 1867 required the Commissioner of Public Schools to visit every school in the state annually, and provided \$300 for travelling expenses. In 1868 Dr. Chapin reported that he had travelled 1200 miles and complied with the law—which was repealed the same year. He was enthusiastic over the improvement in school architecture which he found, and reported some decrease in absenteeism. Dr. Chapin had a thorough knowledge of school conditions, and was a keen and able critic. His reports were able and deserved better consideration than they received from the General Assembly, which adopted few of his recommendations.

Fifteen Years of Reaction.—In the 15 years following the resignation of Commissioner Potter the Commissioner of Public Schools had retired from a position of prominence and influence in promoting school legislation, and had become merely a visiting supervisor of schools, whose contact with the General Assembly was confined to presentation of his annual report. His function as expert educational adviser of the General

Assembly had been permitted to lapse from disuse. He was no longer the source and inspiration of school legislation. So wide was the gap dividing the General Assembly and the Commissioner that Dr. Chapin became an humble petitioner for relief for the Normal School at Bristol, gradually tottering to elimination; whereas a forceful and resourceful Commissioner would have demanded remedial legislation and ample support, with greater prospect of success. Commissioner Chapin was an able schoolman, without the personal power to command in a critical situation. He neglected the juridical relations which the Commissioner of Public Schools should have maintained with the General Assembly while he was still the only state school officer. His reports, excellent as they were in dealing with school problems, ignored comment upon the adoption and effect of legislation, including so important a measure as that which abolished rate bills, while the opportunity for a strong man which the United States land grant for college support presented was neglected altogether by him. The need for a State Board of Education was more pressing and more clearly perceived in 1870 than it had been when recommended by Commissioner Potter in 1855. If the Commissioner of Public Schools was to be merely a schoolman, the state department sorely needed a board which should connect it with the political and legislative organization.*

* Important school legislation from 1855 to 1869, not already mentioned, included:

1857. An act authorising the Governor to appoint a special commission to visit schools of design in France, Germany and England, for the purpose of ascertaining the best means of improving manufactures dependent upon design. The act carried no appropriation; the purpose of the act was to empower the Governor to issue to a party already formed for the journey the credentials necessary to insure their recognition abroad.

1859. An act empowering school committees to select school sites and condemn land, not exceeding one acre, for each site.

1862. An act extending the appellate jurisdiction of the Commissioner of Public Schools, by permitting appeals without proof that the appellant was "aggrieved" or injured by the action complained of. The law substituted the words "any person" for "any person aggrieved."

1867. An act permitting towns to raise by tax and appropriate not exceeding 25 cents per \$100 of taxable property for library purposes.

1869. An act increasing the salary of the Commissioner of Public Schools to \$1500, the amount paid Henry Barnard.

AN OPPORTUNITY NEGLECTED.

Senator Morrill of Vermont, in 1857, introduced in Congress an act granting public lands to the several states for the support of agricultural colleges. The bill was passed by Congress in 1859, but vetoed by the President. A revised bill was introduced in 1861, passed June 19, 1862, and approved by the President, July 2, 1862. It provided for the granting of 30,000 acres of public land for each Senator and Representative in Congress for "the endowment, support and maintenance of at least one college (in each state) whose leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture, in such manner as the legislatures of the states may, respectively, prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life." No state was permitted by the act to locate public lands beyond its own borders; the act provided for an issue of land scrip, which a state unable to locate lands might assign, the income of the fund realized from such a sale to be applied for the purposes named in the act. Rhode Island, in 1863, transferred its right to Brown University, stipulating that the university should establish a school or department of agriculture, pay all the cost of locating lands and perfecting titles, apply the income arising from the sale or other disposition of lands to the support of the agricultural school or department, and receive and educate beneficiaries of free scholarships at \$100 per year up to the entire income. The General Assembly was to nominate, and the Governor and Secretary of State to appoint, beneficiaries from persons who would not otherwise have the means of obtaining a college education.

The university's attempt to locate 40,000 acres of public land in Atchison, Kansas, before the land scrip was issued failed,

the land claimed being assigned to a railroad company which had filed its location after the university's. Dismayed by this failure and the accumulating cost of locating land, for which the General Assembly declined to reimburse the university in any part, the university applied for and was granted permission in 1865 to sell the land scrip, realizing therefrom \$50,000 in government bonds.

A Hard Bargain and a Bad One.—The state had made a hard bargain with the university, and the latter had undertaken an obligation which it scarcely could afford to perform—that is, apply the income of the fund both to establishing and maintaining a school of agriculture and to free scholarships. A report by a committee of the General Assembly in 1869 that neither the state nor the university had acted in good faith seems to have been amply justified. The state had avoided its obligation to establish a school of agriculture by assigning its land scrip to the university; the university had reached out for the endowment without having the means to conform to the terms of the grant. Its only compliance therewith was the designation of certain courses of lectures on agriculture as a department of agriculture. Other committees of the General Assembly reported from time to time that there had been no practical compliance with the letter or spirit of the law. The university, on the other hand, asserted its willingness to provide practical instruction in agriculture if the state or citizens would provide a suitable farm for demonstration and experimental purposes, and money for the purchase of suitable apparatus and equipment, but contended that it was unable to do either from the land grant money or its income, while still yielding to the state the tuitions of holders of state scholarships. The General Assembly did nothing to relieve the situation; on the other hand, it continued to nominate beneficiaries for free scholarships at the university.

A State Agricultural School.—In 1888 the state made an appropriation for the establishment of an experiment station and agricultural school at Kingston, to which was assigned the \$15,000 provided by the Hatch act of 1887, for the assistance of state experiment stations. Brown University, in 1890, offered to surrender to the state the \$50,000 realized from the sale of land scrip. The General Assembly was not in session at the time and the Governor asked the Supreme Court for an advisory opinion. The court (17 R. I. 815) declared that the school at Kingston was not entitled to the Morrill grant, because it did not purport to be a “college of agriculture and mechanic arts,” and that Brown University, as the only institution in the state of collegiate grade teaching agriculture, was the proper custodian. A law providing further Federal aid* by an annual appropriation for land grant colleges, promised to improve the situation so far as the university was concerned, and Brown University, in view of the court’s opinion and the new act of Congress, withdrew its offer of surrender. The state, in 1892, designated the school at Kingston a college, and an agreement was negotiated with the university for a surrender of the original grant, upon payment of \$40,000 to the university.

Neither Rhode Island nor Brown University had realized in 1862 or at any time in the 30 years that followed, an opportunity for both to make Brown University a state university. A comparatively small annual state appropriation would have sufficed to start in the university a genuine agricultural department or college of agriculture, complying with the Morrill law, as the beginning of a state institution. Brown University lost its opportunity to obtain aid from the state, which must have been forthcoming had the university acted in complete good faith. Whether the result reached in 1892—the establishment of a distinctly state college and the continued maintenance of the university as an independent, privately endowed institution—

*The Morrill act of 1890.

was the wisest solution is still a subject for debate, with no prospect of substantial agreement, although with the continued progress of the Rhode Island State College, the debate tends to become academic rather than practical. Against the cost of duplication of plants must be set the advantage of having two institutions of collegiate rank in a small state, one of them the state's own college, and the other a university guaranteed by its charter the broadest possible liberty in teaching.

Very few of the beneficiaries of free scholarships in Brown University under the Morrill grant became farmers. On the other hand, among them were one chief justice of the Supreme Court of Rhode Island, two associate justices of the same court, three or more justices of the Superior Court, several district court judges, clerks of courts, eminent lawyers whose leadership at the bar was undisputed, clergymen and physicians, editors, substantial and successful business men, more than one member of the State Board of Education, two college professors, a mayor of the city of Providence, a mayor of the city of Pawtucket, a secretary of state, many members of the General Assembly. These were men who did not "have the means of obtaining an education for themselves." Their records in after life are indisputable proof that the income of the Morrill fund was used well by the State of Rhode Island and Brown University, even if not for the purpose specified in the law and not probably to the best advantage ultimately.

A VIGOROUS COMMISSIONER.

Thomas W. Bicknell succeeded Joshua B. Chapin as Commissioner of Public Schools in June, 1869. He renewed, in his first report, Commissioner Potter's recommendation, made in 1855, that a State Board of Education be created, and the necessary legislation was enacted in 1870.

State Board of Education.—A board of eight members was established, consisting of the Governor, Lieutenant Governor

and six members elected by the General Assembly, two from Providence county, and one each from Bristol, Kent, Newport and Washington counties. "The general supervision and control of the public schools . . . with such high schools, normal schools and normal institutions as are or may be established and maintained wholly or in part by the state," were vested in the new board. The Commissioner of Public Schools remained dispenser of the state school money, the state visiting and inspecting school officer, and the repository of judicial power, and he became secretary ex-officio of the board. Instead of being appointed by the Governor by and with the advice and consent of the Senate, he was for some time nominated by the board for appointment by the Governor, but afterward elected by the board. He was directed to report to the board annually instead of to the General Assembly. The board, in turn, reported to the General Assembly, thus becoming the connecting link between the school department and the General Assembly. The Board of Education, in its report to the General Assembly in 1875, declared that it occupied only an advisory relation to the school system, with the exception of its power to elect the Commissioner. There is a vast difference, however, between a bare advisory power and an advisory power accompanied with the power to elect the officer to be advised. The Board of Education, in after years, became more influential, as its powers and duties were widened by the General Assembly. The creation of the board made the Governor a responsible school officer through his position as President of the State Board of Education. Scarcely a Governor since 1870 has failed to devote a section of his inaugural message to schools and education, a fact of utmost importance, because no state paper receives wider circulation and is more generally read than the Governor's message.

Rhode Island Normal School Established.—Commissioner Bicknell also undertook a vigorous agitation for the establish-

ment of a state normal school. His appeal to the General Assembly was supplemented by an appeal to the people and the press. A popular demonstration, followed by a clambake, was held at Rocky Point under the leadership of the Commissioner; the newspapers heartily supported the Commissioner. The Board of Education recommended a normal school in its first report to the General Assembly, and a free normal school was authorized in 1871, with an appropriation of \$10,000. The management was entrusted to the Board of Education and the Commissioner, as a board of trustees. To provide for equalization of opportunity, provision for paying mileage for normal school pupils was made through an annual appropriation. Temporary quarters were established in Normal Hall, a building previously occupied by the High Street Congregational Church in Providence. In 1875 the state purchased for the Normal School the high school building on Benefit street in Providence, which was renovated and occupied after the city high school was removed to the then new building, the present English High school, on Summer street. A two-year course was inaugurated.

A Weak Certificate Law.—The Board of Trustees was also made a board for the examination and certification of teachers. School committees, however, retained similar power, and save for issuing certificates to graduates of the Normal School, the Board of Trustees issued only one certificate to a teacher up to 1879. In that instance a candidate rejected by a school committee demanded examination by the board, received a certificate and was appointed a teacher in a district school in the town whose school committee had refused him a certificate. The situation produced was exactly similar to that which had broken down the system of certification outlined in the Barnard act. Few teachers availed themselves of the higher certificate privileges provided by the law of 1845, and town committees were jealous of surrogation or interference with their preroga-

tives. The Board of Education, in 1880, asked to be relieved of the obligation to examine teachers. It did not at that time realize the possibility of a better solution of the problem of certification; it should have demanded the exclusive right to examine and certify teachers, a power which it received in 1898.

Agitation for a Longer School Year.—Commissioner Bicknell continued Dr. Chapin's advocacy of a longer school year. The school year in 1869 was 41 weeks, the maximum, in Providence, and it was 20 weeks, the minimum, in West Greenwich. In Providence a full 12 months school year established in 1800, was broken in 1832 by an August vacation of one week. The vacation was extended to two weeks in 1834, and to three weeks in 1849. Vacation periods between quarters were introduced in 1840, reducing the school year to 46 weeks. It became 45 weeks in 1848, 44 weeks in 1855, 43 weeks in 1858, 41 weeks in 1868, 40 weeks in 1875 and 39 weeks in 1888. The average public school year, outside of Providence and Newport, was three months in 1831. The Barnard act made the minimum legal school year four months. Whereas the school year in the cities tended to decrease, the towns made a gradual advance. Commissioner Bicknell advocated a minimum of 35 weeks. The Revised Statutes of 1872 established the minimum at six months, a standard already attained by most towns. The average school year was 34 weeks in 1871, a record exceeded at that time by only one state; and it was 35 weeks and 4 days in 1873, being then the longest in New England. It was nine months in 1876, but Commissioner Stockwell then pointed out the deception of averages by showing the influence of towns maintaining 10 months schools in offsetting shorter school years elsewhere. In the law the minimum legal school year remained at six months until the abolition of districts in 1904. Whether there was a legal minimum school year between 1904 and 1909 is doubtful; there was none after 1909 until 1914, when it was fixed at 36 weeks, a standard at that time maintained or exceeded

by every town in the state. Rhode Island maintains the longest legal minimum school year and the longest average school year in the United States.

A Campaign Against Illiteracy.—Reference to Commissioner Bicknell's campaign against illiteracy and his proposed remedies therefor has already been made. In 1873 he named seven causes for poor enrollment in public schools: (1) Private schools, (2) Catholic schools, (3) evening schools, (4) employment of children in factories, (5) early introduction of children into trades and other employment, (6) immigration, (7) truancy. In 1872 he advocated the establishment of a state industrial school, to provide a place for the commitment of neglected children and an institution for their education in useful industrial arts.

Among other measures which he recommended were consolidation of school districts; extension of town control of schools, and more particularly of the powers of school committees; expert supervision for schools; a general state tax for educational purposes, the revenue to be apportioned in such manner as to relieve small towns of the heavy burdens of taxation; a school census, as a first step toward improving school enrollment; salaries for school committeemen, whose service in Rhode Island has usually been without compensation; a reduction in the number of school officers, from the 2216 serving in various capacities in 1874; a state system of school examinations and supervision modelled on the Irish plan, which the Commissioner described as being then the best in the world; the introduction of instruction in drawing in all schools, as a study absolutely essential to the development of Rhode Island industries. Mr. Bicknell published a "School Manual" in 1873, continuing under a new name the series of "Acts Relating to the Public Schools," printed in 1845, 1846, 1847, 1851, 1857 and 1867. He began the accumulation of an educational library in the office of the Commissioner, for which he solicited dona-

tions from publishers. The General Assembly made his salary \$2000 in 1870. He resigned in 1874, to become editor of the New England Journal of Education in 1875.

Commissioner Bicknell's Success.—Commissioner Bicknell's service to the state was important, not so much because of novelty or innovation in his recommendations, as because of the successful inauguration of so many of them during his tenure of office. In all of his measures for improvement there is scarcely one which had not been proposed at some earlier time by one or more of his predecessors. His renewal of Commissioner Potter's recommendation that a Board of Education be created, was made at a time when the need was pressing. Likewise the necessity for a normal school was clearly recognized; the ample provision for establishing it was made possible by the repayment of the federal government's debt to the state for war expenditures. After 1870 the Board of Education was his powerful auxiliary in securing legislation. His own appreciation of the assistance of the board was fervent; the board was equally gracious in its recognition of "a diligence, a wisdom and a contagious enthusiasm, which, it is believed, has resulted in lasting benefit to the cause." But Commissioner Bicknell did not, while he was Commissioner, reach the modern view of the state's responsibility for the education of all its citizens, much as the growth of illiteracy alarmed him. He was rather the last and one of the most forceful of an old line of Commissioners of Public Schools, than the founder of a new dynasty.

THE STATE BOARD OF EDUCATION.

Created in 1870, with powers vaguely defined and advisory rather than functional, the Board of Education in its first report to the General Assembly advocated five measures for school betterment, as follows: (1) That towns be required to appropriate for school support an amount at least equal to the school

money received from the state; (2) that every town be required to employ a superintendent of schools; (3) that a normal school be established; (4) that towns be required to adopt ordinances dealing with truancy, and (5) that the hiring of teachers be entrusted exclusively to school committees. All but the last of these recommendations were enacted into law by the General Assembly in 1871. Thereafter town appropriations must equal state appropriations, ample provision for a normal school was made, the permission previously granted to towns to deal with truants was changed to a requirement, and school committees were required to appoint superintendents of schools in towns which failed to elect such officers. Providence had appointed its first full-time superintendent of schools in 1839. Previous to 1850 the practice of appointing school visitors had become established in several towns, and the law of 1851 sanctioned this practice and permitted the employment of superintendents. In 1872 the Board of Education recommended better wages for teachers, an annual school census, voluntary co-operation of manufacturers in enforcing the child labor law of 1855, which the Commissioner reported inoperative, and renewed its recommendation that school committees be given power to hire teachers for district schools. In 1873 the Board proposed the establishment of an industrial school and the taking of a school census.

The Board of Education's first important accessions of power were the right to elect the Commissioner of Public Schools, and the designation of the Board with the Commissioner as a board of trustees for the Rhode Island Normal School. When the state made its first appropriation for evening schools in 1873, the Board of Education was given supervisory powers and was made dispenser of the appropriation. In 1875 the board was entrusted with the apportionment of an appropriation to aid free public libraries. Many of the free public libraries established through the efforts of Henry Barnard and the philan-

throphy of Asa Manton, who offered a donation of \$100 to aid any public library for which an equal amount was raised, had disappeared. The act of 1875 appropriated annually \$50 for the first 500 approved books in the library and \$25 for each additional 500 books, up to \$500, the maximum amount which any library might receive. The money paid by the state must be used for the purchase of books to increase the library. The Board of Education was given authority to establish rules prescribing the character of books approved, and regulating the management of libraries receiving aid, in such manner as to secure free use thereof by the people.

THE GENERAL ASSEMBLY AND EDUCATION.

The abolition of rate bills, the two amendments that raised the annual school appropriation to \$90,000, the appropriation of dog license fees for support of schools, the creation of the Board of Education in 1870, and the approval of four of five of the board's first recommendations in 1871, leave no doubt of the General Assembly's disposition toward educational reform in the period. On two matters the General Assembly hesitated to act; these were the abolition of school districts or radical interference with the district system, and school attendance. When the General Assembly could be persuaded to act at all with reference to attendance, the legislation was weak, if not impracticable and inoperative. Relations between the Assembly and the department as a rule were harmonious, in spite of the Assembly's neglect of some recommendations. There was, however, occasionally a note of discord. Such, for example, was the resolution adopted in 1874 appointing a committee to inquire into "the workings, cost and efficiency of the public school system of the state." It was repealed at the same session, and a committee was appointed to inquire into and report changes "which are necessary in the laws relating to public education."

An act passed in 1874 threatened to break down the judicial procedure established by the Barnard act. For the provision permitting, or upon request requiring, the Commissioner of Public Schools to lay his decisions before one of the justices of the Supreme Court for review, the new law substituted review by the full bench. The change in the law followed the decision of *Cottrell's Appeal*,* which determined the Commissioner's jurisdiction. The substitution of hearings in open court for review in chambers involved delay of final decision, besides the abandonment of most of the benefits of the earlier system. After a brief trial, in which the unwisdom of the change became apparent, the law of 1874 was repealed.

A committee of the General Assembly, in 1875, examined thoroughly the question of tax exemption. The controversy that Commission Potter had repressed a generation earlier had been revived by the incorporation of the Roman Catholic diocese of Providence after it was set apart from the diocese of Hartford, and by a rapid increase in the number of Catholic parochial schools and in the attendance of children of school age at these schools instead of at the public schools. It was anomalous, of course, that a state dedicated to religious liberty, which still hesitated to enact compulsory school attendance laws or adequate laws dealing with truancy, or laws effectively regulating the employment of children in factories, should interfere in any way with attendance at private or parochial schools. After four hearings, at which tax exemption was exhaustively debated, the committee reported a bill abolishing tax exemption of land, but exempting buildings used for religious and library purposes. The General Assembly was more liberal than its committee; the law that was enacted exempted land and buildings used for religious and library purposes and for free public schools. In a test case the Supreme Court decided that Catholic parochial schools, though charging no tuition,

*10 R. I. 615.

were not "free public schools." *St. Joseph's Church vs. Assessors*, 12 R. I. 19. As it abolished tax exemption, the new law took away from school committees the right, established by law in 1855, to visit and inspect private and parochial schools. The truancy law of 1883 revived the right of school committees, to the extent that it permitted school attendance at "approved" private schools in lieu of attendance at public schools, and tax exemption was restored in 1894.

The Commissioner of Public Schools was instructed to report at the May session in 1875 whether any and what means were used in the public schools "to implant and cultivate in the minds of all children . . . the principles of morality and virtue." Commissioner Stockwell's report was admirable. He cited the practice regulating the reading of the Bible and the opening of school sessions with prayer or other devotional exercises, and emphasized the importance of the teacher's influence and example.

A MODERN COMMISSIONER—HIS FIGHT FOR COMPULSORY ATTENDANCE.

Thomas B. Stockwell succeeded Thomas W. Bicknell as Commissioner of Public Schools in January, 1875, remaining in office continuously until 1905. He had been a teacher in the Providence high school and editor of the Rhode Island Schoolmaster previous to his election as Commissioner. With him begins the distinctly modern history of Rhode Island public schools, for he was the first Commissioner of Public Schools to enunciate distinctly the doctrine of compulsory attendance. He advanced from the notion of the duty of the state to provide opportunity for education for all, to the obligation of the state, as the agent of society, to compel the education of all its citizens.

Commissioner Stockwell, with the co-operation of the Board of Education, undertook, almost immediately after his election, an active campaign to improve school attendance. In his first

report he declared that the great cause of non-attendance at school was the social condition created by the prevailing industrial organization. The fault lay partly with parents, but children themselves were quite as much to blame. The children's desire for pleasure and for dress and adornment beyond the means of the parent to supply, induced children to seek employment in order to obtain as wages the money needed to gratify their wishes. Quoting Horace Mann's axiom that every child has a right to education, Commissioner Stockwell declared that society had a right to demand that every child be educated, and that it was the duty of the state to enforce society's right. He recommended an annual school census, an industrial school and a state truancy law to replace municipal ordinances. He pointed out clearly that the act requiring towns to adopt truancy regulations merely attempted to shift a responsibility obligating the state, from the state to the towns, and also that the law, though mandatory in form, was ineffective because there were no way to compel a town to act, no penalty for failure to act, and no machinery for compelling enforcement if the town adopted an ordinance.

Returning to the same subject in his second report, he again urged compulsory education, an industrial school and the provision of an institution to which truants might be committed. Discussing illiteracy, he presented census figures to show that in a population of 205,101 over 10 years of age, 7941 could not read and 24,168 could not read and write their own names; that from a school population of 53,316, approximately 8000 did not attend any school. Again laying the blame for such conditions on the industrial system, he found the largest proportion of illiteracy among Irish and French-Canadian immigrants who were mill operatives. He declared that the law purporting to regulate truancy and the employment of children in factories was so completely inoperative that few citizens knew such a law was on the statute books. He

suggested an agreement with manufacturers to assist in enforcing the law. Governor Lippitt was enlisted in the good cause, and in his inaugural message urged an effort for improvement.

Annual School Census.—In 1878 Commissioner Stockwell again recommended a school census, a state truancy law, a modification of the child labor law, the appointment of agents to enforce the laws, and compulsory enforcement. The Board of Education indorsed his recommendations. A law requiring towns to take a school census annually was enacted in 1878, furnishing the Commissioner of Public Schools and the Board of Education with the first accurate information on this important subject, and with evidence adequate to prove the need for more legislation. In 1884 the Commissioner reported :

The annual school census has now been taken for a sufficient number of years to demonstrate its value and reliability as a source of information not otherwise attainable. Its general results and conclusions are so well supported by collateral testimony that they justly command recognition and acceptance. Each successive census has revealed a steady, natural growth in the population of the whole state, and more than a corresponding increase in the number of non-attendants at school. The proportion of such persons by the present census is over 25 per cent. of the whole school population. The significant fact to be noted in connection with these figures is that the ratio of increase for non-attendance is greater than that of the increase in the number of children, and that has been the case from the beginning of the school census. This shows beyond a doubt that we have actually lost ground in our contest with ignorance, instead of gaining or even maintaining our position."

The State Board Aroused.—In 1883 the Commissioner reported, that of all the northern states, Rhode Island had the largest proportion of illiterates, "her percentage of all who are 10 years of age and over being 11.2, against 5.9 for all other northern states and territories." More than a quarter of those of foreign birth could not sign their own names. The percentage of native born white persons 10 years and upward who could not write was 2.9, "a rate double that of the rest of New

England, nearly three times as large as that of Connecticut and four times that of Massachusetts." Taking up these statistics in 1884, the Board of Education declared :

"Viewed absolutely, it may not be a serious menace to the welfare of the state that out of every 100 of its population above 10 years of age somewhat less than three should not have attained even that slight amount of education which is indicated by the ability to write one's name. As long as Rhode Island stands last—and last by a considerable interval—in such a tabular statement as that to which reference is made, there is call for other action than self-congratulation. While we are not, however, disposed to make too much of this comparative exhibit, nor to forget that figures often mislead for want of proper interpretation, we find in it the suggestion of two important needs, first of a right system, and second of a vigorous administration of the system. We undertake here no general discussion of our state system of public education. We only take the opportunity to reaffirm our conviction of the importance of making compulsory education one of its elements. With a population made up as ours is, and composed, in considerable measure, of persons whose immediate interest is opposed to the permanent interest of their children and of the state, no measure short of this will be found adequate to the need. That we should be behind other states, our neighbors, in the matter of educational attainment might be only our misfortune. That we should be behind them in recognizing and adopting the only efficient remedy for the trouble would be something other than a misfortune."

A New Truancy Law.—Meanwhile, in 1883, the General Assembly had enacted an absence and truancy law* embodying the

* The important provisions of the law were :

1. Parents were required to send children between the ages of 7 and 15 years at least 12 weeks annually, six of which must be consecutive, to some public day school, or to an approved private school, unless the child was otherwise furnished with the means of education, or had acquired the elementary branches taught in the public schools, or was mentally or physically incapacitated.

2. School committees could approve private schools only when the instruction was in the English language, and thorough and efficient, but could not refuse approval because of religious teaching.

3. The employment of children under 10 in manufacturing or mechanical establishments was forbidden.

4. No child under 14 could be employed in such establishments without a certificate that he had attended some public or private day school 12 weeks in the preceding year, and unless he attended school 12 weeks each year; and no child under 14 who could not write his name, age and place of residence legibly, could be employed while public schools were in session.

5. Town councils were required to appoint truant officers, (1) to investigate cases of failure to send children to school, (2) to prosecute offenders, (3) to visit places where

principles of compulsory attendance. The significant sections of the law (1) charged parents with responsibility for sending children to school, (2) required children working in factories to present certificates of school attendance, (3) provided for the appointment of truant officers, (4) forbade, while public schools were in session, the employment of children under 14 who were unable to write legibly their names, ages and places of residence, and (5) provided penalties for certain violations of the law by parents, truant children and employers, but (6) no penalty to be imposed upon towns failing to comply with the law.

The law marked an advance, but it was far from being satisfactory. The Commissioner of Public Schools in 1884, said that "the chief defect in the law is that it does not provide positively for its enforcement. Its provisions are clearly mandatory, but there is no power lodged anywhere to make the command obligatory. As it is, the city of Providence and a number of towns have failed utterly to comply with the law in their municipal capacity. . . . Either a penalty clause should be added to the law, or the state should assume charge of the matter." This defect in the law was not even partly remedied until 1887, when it was provided that a town which failed to adopt a truancy ordinance should forfeit one-half its share of state school money.

The State Board Still Dissatisfied.—The Board of Education's criticism* was more detailed and more emphatic. The Public

children were employed and enforce the certificate law.

6. Towns were required to adopt regulations concerning habitual truants and children found wandering about in the streets, having no lawful occupation or business, not attending school, and growing up in ignorance, and to designate places for the confinement, discipline and instruction of such children.

7. Penalties, by fine, were provided (1) for parents neglecting to send children to school, or permitting the employment of children under 10 years of age, (2) for employers of children under 14 without cer-

tificates, or of children under 14 who could not write, (3) for employers who refused to permit inspection of certificates or to furnish information for truant officers, and by commitment (4) for children arrested as truants or vagrants.

* The text of the Board's comment follows :

"The logic of events is carrying the state forward to full recognition of the necessity of assuming the responsibility of the school system and its maintenance. Heretofore the legislation of the state has been mainly permissive, not mandatory. It has made

Statutes of 1882 had cured the defect in the school law on which the decision in *Wixon vs. Newport** was based, replacing with a mandatory statute the legislation that merely permitted town support of public schools. The influence of the decision appeared in the language of the board. Asserting (1) that "the logic of events is carrying the state forward to full recognition of the necessity of assuming the responsibility of a school system and its maintenance," and (2) that legislation had "been mainly permissive, not mandatory," and (3) that the assumption that "an offer of a free education opening the pathway of usefulness and honor to all . . . would be universally accepted" had not been justified, and (4) that "the present illiteracy of Rhode Island is conspicuous and humilia-

laws according to which communities may sustain schools, and has levied taxes to encourage communities to do so, but it has not made schools necessary, nor has it taken upon itself to provide them. And to something equivalent to this the state is now being forced by events. The argument in a nutshell is this: The people must be thoroughly educated, but they never have been by a voluntary system, and they never can be. It has only been when the state takes upon itself to see that every child receives proper instruction that the work is thoroughly done.

"It has been taken for granted that if an offer of a free education opening the pathway of usefulness and honor to all was really made, it would be universally accepted. The assumption has not been justified. It costs the American mind a severe trial to bring itself to confess that the reasons for education in our republic cannot be so forcibly stated as to induce every parent and guardian to make the necessary sacrifices to insure it. Public opinion unformulated in law has not and will not do it. It is clear enough that where everything depends upon the will of the people, that will ought to be enlightened; that what is wise may be chosen and what is unwise may be rejected. It is perfectly clear that if the will of the nation is ignorant, every national interest is imperilled. The material welfare is endangered, the institutions and safeguards of social progress are

*13 R. I. 454.

menaced, and liberty itself has no guaranty. All this is clear, but it is no clearer than that John Doe has no right to appropriate Richard Roe's pocketbook—but he does it. And so thousands of children, after municipalities and the state have lavishly afforded the means of education, have grown up and are growing up in ignorance. The present illiteracy of Rhode Island is a conspicuous and humiliating illustration. And the conviction has obtained that the situation cannot be improved upon the old lines of action. Not that the old policy is to be abandoned, but it must be supplemented by decisive state action.

"Religious zeal, which did so much for the New England schools in the days of the Puritans is a diminutive force now, owing to many causes, the diversity of religious views in the population of the country being doubtless the principal one. Patriotic regard for the nation's prosperity and honor has induced an educational expenditure greater than that of any nation on the globe. Philosophy and philanthropy have contributed their aid with unparalleled zeal. The former has set forth the vast and far-reaching economic rewards of intellectual training in a land so rich as this. The latter has found in the brilliant promise of the future a field for the exercise of marvelous enthusiasm. It cannot naturally be expected these forces will prove more effective in the future than in the past, and the conclusion seems irre-

ting," the Board of Education said: "Education should no longer be merely offered; it should be required." While hesitating to accuse the General Assembly of "inconsistency and cowardice," although the time for such accusation "rapidly approaches," the Board of Education characterized the new truancy law as, "though an encouraging advance," not "a right-out, square declaration by the state that ignorance must be stamped out, and every child God has made capable of intelligent citizenship shall be qualified as such."

Gain Under the New Law.—The immediate effect of the law of 1883 was a gain in total enrollment, and an apparent gain in the percentage of enrollment to school population, which was 78.7

sistible that our present methods are defective and ought to be supplemented. The urgency is intensified when we consider the vast immigration that is pouring itself from every land upon us, and the fact that the native American population does not increase so rapidly as the foreign born. At the present rate, the time is not very far distant when those of mixed and foreign parentage will be in the majority. And it is a fact to be taken in this connection that a low standard of culture exists in many parts of the country, West and South, and, moreover, many causes exist to estrange, looseness of family ties and diverse interests. These speculations do not alarm us with an immediate danger, but they do call for immediate provision against evils great enough, if not provided against, to wreck the nation. The danger to civilization today is not from without, but from within. The heterogeneous masses must be made homogeneous. Those who inherit the traditions of other and hostile nations; those who are bred under diverse influences and hold foreign ideas; those who are supported by national inspirations not American must be inducted into the life and spirit of this New World and must be assimilated and Americanized. The chief agency to this end has been the public school and popular education. No better agency has ever been devised by man. Its usefulness hitherto has been immeasurable, but as administered it has not met the wants of the nation, and if administered in the future as in the past, must fall farther and farther short of meeting those wants. What, then,

if there is any truth in the facts presented or force in the argument adduced, ought to be done? What, if the people cherish any real hope of an honorable destiny? What, by a people having a moral purpose worthy of their illustrious name?

"Education should no longer be merely offered; it should be required, and if the patriotic citizens have the courage of their convictions and the good sense to be consistent, it will be required. It is not yet time, perhaps, to talk of inconsistency and cowardice, but that time rapidly approaches. The discussions of the General Assembly during the last few sessions have greatly forwarded the public sentiment which demands that our system of education be made more effective by the enactment of a comprehensive and unequivocal compulsory law. The truancy law enacted a little more than a year ago, though an encouraging advance, is not a right-out, square declaration by the state that ignorance shall be stamped out and every child God has made capable of intelligent citizenship shall be qualified as such. The law makes it possible for localities—yes, for all the localities of the state—to make that declaration, but it does not make it itself. Next time, it is hoped that, with more heart and strengthened convictions, the Assembly will be able to take full responsibility and express in the statutes of the commonwealth what has been the intention of the people from the beginning—the purpose to educate all. The law will not leave it optional with the city or municipality whether to ignore the action of the state or not. It will require

in 1879, 76.5 in 1880, 76 in 1881, 75.2 in 1882, 74.8 in 1883, 78.1 in 1884, and 81.3 in 1885. Improvement in the thoroughness of the school census may account in some part, however, for the loss in percentage of enrollment from 1879 to 1883. The gains in 1884 and 1885 were pronounced in spite of the fact that only 15 towns had complied fully with the law. For the same years the percentages of absenteeism reducing attendance among those enrolled to less than 12 weeks, were 5 in 1879, 3.6 in 1880, 4.8 in 1881, 4.6 in 1882, 3.8 in 1883, 3.5 in 1884, 3.9 in 1885. The gain in enrollment was not maintained, however; the percentage fell off from 81.3 in 1885 to 78.6 in 1886.

conformable action, and will provide penalties, and executive procedure for enforcing its requirements. Meanwhile the present law has a salutary effect. Its enactment has very greatly increased the enrollment throughout the state. In municipalities where the councils have passed no ordinances, individual employers of children, under an awakened sentiment of patriotism, not to say true honor, have felt it a duty to refuse to employ youth of school age who have not received the education contemplated by law, and have not done so. Some towns having ordinances adopted in conformity with the intention of the statute expect to enroll in the schools, public or parochial, every child employed in their manufacturing establishments. This is an important advance. It shows a pervasive public sentiment and enthusiasm that ought not to be allowed to subside, but should be improved by the enactment of still necessary laws. The public expect it—demand it. If the state means what it seems to say, let it say it so there can be no escape. If the statute remains as now, there is danger that the towns which have ordinances and are at the trouble of shifting help every term will weary of this annoyance. Why should they be at such pains, when others are doing nothing of the kind? Again, if the law remains as now, the towns which refuse to employ children who have not received the prescribed instruction will lose their help. It has been, in this short time, no uncommon thing for a family of five to leave town for another locality,

simply because employment was refused a minor who ought to have been at school. When help is scarce, it is an aggravation to lose a whole family to another establishment just across the river, because no truant or absentee ordinances have been adopted. The town that does not execute the law is a provocation to the town that does, to repeal the law. So far it is only just to say, that employers of juvenile help have been ready to recognize their obligations. The objections and difficulties are almost wholly with the parents, some of whom are poor, but many of whom are sordid. The cases of hardship, which have been anticipated, and which have hindered action so long, have been humanely dealt with through the half-missionary and half-educational offices of the school committee and their agent, the truant officer; and so far, it is not believed that a single case justifying the complaint of the poorest has occurred.

"In some localities the lack of school accommodations is doubtless the reason no action has been taken under the law. While such a reason may be good for a short time, it cannot for such wealthy communities as Providence and Pawtucket be made to serve long as an apology for not doing what every patriotic and honorable sentiment declares should be done at once. It is to be hoped that such communities will speedily awaken to recognize how prejudicial to the cause of education is their delay. Every day and every month of such neglect is a wrong to the youth and a danger to the state."

Indifference in Providence.—The Board of Education complained of indifference in Providence. Proposed amendments to the law, which aimed to make it more effective, were delayed in the General Assembly. The Commissioner of Public Schools called attention to the failure to improve after the momentum of first enthusiasm had spent itself, and the weakness of the law was disclosed. The early gains were clearly due more to voluntary compliance with the spirit of the law, than to any attempt to enforce the letter of it. The Commissioner characterized inaction in Providence, which still ignored the law altogether, as shameful, besides lamenting the effect which the bad example of the city must have upon the rest of the state. The General Assembly, in 1887, provided a penalty for recalcitrant municipalities—forfeiture of 50 per cent. of their shares of the state school money. Enrollment improved thereafter, the figures for five years being:

	1888.	1889.	1890.	1891.	1892.
In public schools	42,547	43,098	43,163	44,090	45,777
In parochial schools	7,223	7,974	8,275	8,663	9,280
In select (private) schools	1,663	1,777	1,478	1,440	1,389
Totals	51,433	52,849	52,916	54,193	56,446

The gain in total enrollment was almost 10 per cent. in five years. Select schools had lost ground. The percentage of gain in enrollment at parochial schools was almost four times that in public schools, but in proportion of enrollment to total enrollment the two systems had made nearly equal gains. Commissioner Stockwell reported in 1892, that Rhode Island led all other northern states in improved public school enrollment.

Advance Still Desired.—The Board of Education and the Commissioner of Public Schools were not yet satisfied with the

law. Three significant changes were desired: (1) Extension of the period of required attendance from 12 weeks to 20 weeks, (2) a transfer of the power to appoint and to control truant officers from town councils to school authorities, and (3) effective supervision of parochial and private schools, particularly with reference to attendance. Both Board and Commissioner urged 20 weeks of required attendance in more than one annual report. In 1893 the General Assembly extended the requirement to 16 weeks, or 80 full school days, and regular attendance at all school session unless the child was regularly employed at home or elsewhere. The Board of Education at first advocated the appointment of truant officers by the Board; in 1890 the Commissioner of Public Schools recommended that school committees be given the power to appoint truant officers, but this reform was not accomplished until 1901.

As previously noted, school committees lost the right to visit and inspect parochial schools with the abolition of tax exemption, and partly regained it when the truancy law permitted "approval" of other than public schools. One-sixth of the school children in the state were enrolled in parochial schools in the period about 1890. The Board of Education recommended, in 1884, that private and parochial schools "should in some way and by some legislation be brought under a system of supervision similar to that of the public schools. Such schools ought to be required to keep prescribed registers and make returns to the Board of Education as to the number of teachers, number and age of pupils, hours of instruction, courses of study and other means of doing the work of education." "It is not believed," the Board continued, "that any opposition need be met with in the enforcement of a law that will secure full and accurate statistics. Many parochial and private schools voluntarily keep registers similar to those prescribed for the public schools, and make returns to the school committees of their respective towns. Such a course of action is equally

commendable and honorable." In 1889 the Commissioner of Public Schools advocated the supplying of school registers for private schools, and that reports be required. By law enacted in 1892, all private schools were required to register at the office of the Board of Education, "such registry showing location, name, officers and persons in charge, grade of instruction and common language used in teaching," and to report annually to the Board of Education, showing the number of different pupils enrolled, the average attendance, and the number of teachers employed. The Board of Education was ordered to furnish school registers and blanks for reports. The Board reported that 62 of 75 schools to which requests for information were sent had reported, but that 13 ignored the communications from the Board. In 1893 school committees were given permission to approve private schools "only when the teaching is in the English language, and when they are satisfied that such teaching is thorough and efficient, and when the persons in charge of said school shall keep the record of attendance of the pupils thereof upon the blanks provided by the state for such purposes, and shall render to the school committee of the town or city where said school is located a detailed report of the attendance of any pupil for any specified time, provided that the request for such report is made in writing and sets forth that such pupil is suspected of irregular attendance or truancy." Public school officers regained the right to visit and inspect private and parochial schools with the restoration of tax exemption.

Towns failing to comply with the school census law forfeited state school money after 1886. The range of forbidden employment was extended in 1893 to include manufacturing, mechanical and mercantile establishments, and telegraph and telephone companies, and the minimum employment age was raised to 12 years in 1894.

The statutory provisions for compulsory school attendance in 1894 (1) required the taking of an annual school census, (2) required the keeping of attendance records and the making of reports by public and private schools, (3) required parents to send children 7 to 15 years of age to day school 80 full school days per year, or the full school term when the children were not regularly employed, (4) made the child also responsible for attendance at school, (5) forbade the employment of (a) children under 12 years of age, (b) children between 12 and 15 years of age without certificates of school attendance or of completion of the elementary school branches, in manufacturing, mechanical or mercantile establishments, and telegraph or telephone companies, (6) required (a) town councils to appoint truant officers and (b) the Governor to appoint factory inspectors, and (7) provided penalties. The law was reasonably effective, though, of course, not perfect. The next important advance was made in 1902.

OTHER ADVANCES.

The District System.—Commissioner Stockwell was a persistent advocate of the abolition of school districts and centralization of school management in the hands of school committees. The district system never had been established in Providence, Newport, Bristol and Warren. Commissioner Bicknell, in 1871, reported a list of nine towns in which school committees had substantial control, including the four mentioned, and Pawtucket, Woonsocket, East Providence, Barrington and North Providence, but the district system had not been abolished completely in all these towns. Commissioner Stockwell was the first Commissioner who realized and noted in his reports that towns were actually without power to abolish districts, once the district system was adopted. In 1875 he recommended that districts be abolished by state law, or that towns be given permission to abolish districts, and in almost

every report thereafter he returned to this recommendation. The Board of Education was of the same faith. In 1878 the Commissioner pointed out the inadequacy of the law to compel districts to keep schools, and suggested that a penalty should be attached to failure to keep school. The districts were strongly entrenched, however. The first important break occurred in 1883, when Woonsocket applied to the General Assembly for legislation to enable it to abolish school districts and a special act was passed. Barrington followed Woonsocket, and Johnston was the third town in two years to present a request for an enabling act. In 1884 the General Assembly enacted a general law, which permitted towns to abolish districts and provided for an adjustment of school property interests. The act of 1884 increasing the state school appropriation to \$120,000 made the school, instead of the school district, the basis of apportionment, thus removing one incentive for increasing the number of school districts. An important advance had been made, but the victory was incomplete. The Board of Education, in 1886, recommended the abolition of all school districts, and the establishment of a system of state supervision, making the Board of Education a superior school committee, and the Commissioner of Public Schools a chief state superintendent in fact, as well as in name. The Supreme Court having decided in 1891 (*Comstock vs. School Committee*, 17 R. I. 827), that the vote to abolish districts under the act of 1884 could be taken only in town meeting, the General Assembly in 1894 by statute permitted the vote to be taken in district meetings. Final abolition occurred in 1904.

Efficient Supervision.—The need of efficient supervision of schools appealed to Commissioner Stockwell. The law of 1871 requiring school committees to appoint where towns failed to elect superintendents was mandatory in form, but Mr. Stockwell found the mandatory law not fully effective without a provision

for the payment of adequate salaries. Unless a reasonable standard salary or a minimum salary were established, and while towns might designate merely a nominal compensation for the superintendent, it was unlikely that the supervision would be expert or fairly competent, or superior in value to the price paid for it. In 1878 the Commissioner reported a deplorable tendency among the towns to cut down the salaries of superintendents, under the pretence of economy. He advocated at various times (1) permissive unions of small towns and the establishment of joint superintendencies, (2) a standard salary law with state assumption of one-half the cost of supervision. Both these recommendations were renewed and adopted years after their first suggestion. The Board of Education was equally insistent upon the need of competent supervision. In 1881 it recommended an annual appropriation of \$10,000, to be apportioned to aid towns in paying adequate salaries and securing better supervision; and in 1884, with the proposed increase of the general state appropriation to \$120,000, that "the payment year by year to any town of its share of the additional appropriation be made conditional upon the town's adopting an efficient system of paid supervision." In 1886 supervision by district superintendents paid by the state was recommended. None of these recommendations was adopted. In 1884 school committees were given exclusive power to appoint superintendents, the town right to elect being taken away, but the town retained control of the situation through its power to determine the superintendent's salary. In 1902 the school committee was given power to fix the salary; in 1903 joint superintendencies were permitted, the state paying half the joint salary up to \$1500, and in 1904 the state assumed the payment of \$750 toward the salary of any superintendent receiving not less than \$1500 annually. In 1908 superintendents were required to hold certificates of qualification issued by the Board of Education.

School Apparatus.—Henry Barnard had reported a want of maps, charts, blackboards and other apparatus in schools. Commissioner Allyn had recommended that the state undertake some part of the cost of supplying dictionaries, books of reference, maps and charts for schools. Commissioner Stockwell and the Board of Education in 1879 renewed this recommendation, and the General Assembly in 1880 provided an annual appropriation, to be distributed to towns equipping schools with dictionaries, encyclopædias and other works of reference, maps, globes and other apparatus. Under the law the state reimburses the town for half its expenditure for the purpose annually, up to \$10 per school and \$200 per town. To give the law its best and most complete effect the Commissioner made arrangements with jobbers to supply books and apparatus of the kind intended at prices based on large sales. Reviewing the operation of the law in 1884, the Commissioner said: "All but two towns have availed themselves of its provisions more or less fully. In most of the towns, either all, or nearly all, of the schools have been supplied with utensils for teaching. . . . The universal testimony of teachers and pupils is to the incalculable aid afforded by these helps, and there is no question as to the value of the enactment. The simple fact that 250 quarto dictionaries have been placed in the schools of the state during these four years is suggestive of a wonderful quickening of mental activity, of a wide diffusion of knowledge. When to these are added all of the books of reference and general literature, all of the globes, maps and the countless other forms of illustrative material, it is almost impossible to conceive of the stimulus imparted to the schools." The law of 1880 is significant beyond its purpose of providing important accessories to effective instruction. The law of 1839 limiting the use of state school money to payment for instruction, and the law of 1845 designating the state school money as teachers' money, perhaps established the principle of state aid

for specific school purposes; but it is more certain that both these acts aimed at a distribution of the burden of school support by a tripartite division of responsibility. This was made clear in Henry Barnard's explanation that the town or district should furnish the schoolhouse, the state should pay part of the cost of instruction, and the parent, by rate bill, might pay the balance. That was the system he found in Rhode Island. Tripartite responsibility was terminated by the abolition of rate bills, though the state still designated its appropriation as teachers' money. The law of 1880 singled out a very specific way of improving schools. With the exception of the law of 1884 increasing the annual appropriation of teachers' money, every fresh provision for state support since 1880 has been directed in similar fashion to a specific purpose. The act of 1880 marked the beginning of a change in the state's school financial policy from general aid to aid for specific purposes and in particular instances.

Miscellaneous Advances.—The General Assembly, upon the recommendation of the Board of Education and the Governor, increased the annual school appropriation to \$120,000 in 1884-5, and provided for its apportionment partly by schools and partly in proportion to the number of children from 5 to 15 years of age. By act of 1888 school committees were required to divide state school money and one-quarter of the town's school appropriation equally among school districts, and the balance of the town appropriation, and poll and dog taxes, one-half on the basis of average daily attendance and one-half at discretion, provided that no district received less than \$180. The provision for distribution within the towns disappeared with the abolition of districts. The general appropriation remains unchanged from 1884-5.

The procedure for condemnation of property for school purposes was amended in 1887.

The state made its first appropriation for the special education of the deaf, dumb and blind in 1845, and six years later extended the work to include idiots and imbeciles. A day school for the deaf was opened in Providence in 1877 for instruction by the modern or lip-reading method. The city of Providence furnished a schoolroom, and the state paid tuition for its beneficiaries. In 1882 the school was reorganized as a state institution, and in 1892 it became a boarding as well as a day school. The Rhode Island School of Design, incorporated in 1877, became a state beneficiary in 1882; in 1883 the state made provision for free scholarships at the School of Design. The State Home and School for indigent children was opened in 1885. The money that Rhode Island received from the United States under the Hatch bill, for an agricultural experiment station, was used as a beginning for a school of agriculture at Kingston in 1888; in 1892 the school was reorganized as the Rhode Island College of Agriculture and Mechanic Arts. The trustees of all schools and educational institutions supported wholly or in part by the state, whether entirely devoted to education or only partly so, were required in 1892 to report annually to the State Board of Education, the number of pupils and instructors, courses of study, cost of maintenance and general needs of the school or institution. The board thus became the central organization for all public school activity in Rhode Island. The story of the development of the institutions named and the Normal School is reserved for the following chapter.

Rhode Island delegates to school committees the right and duty to prescribe courses of study, under the direction of the Commissioner of Public Schools. Commissioner Stockwell prepared a graded course of study in 1878 as a model. It was for nine grades, a course since then generally abandoned for eight grades. School committees were required in 1884 to "make provision for the instruction of the pupils in all schools sup-

ported wholly or in part by public money, in physiology and hygiene, with special reference to the effect of alcoholic liquors, stimulants and narcotics upon the human system." This was then and was until the physical education law of 1917 the only instance in which the law prescribed specific subjects as part of the course of study.

The Commissioner of Public Schools was authorized, in 1891, to prepare an annual programme for Arbor Day, which had become a school holiday generally observed throughout the state. In 1892 Columbus Day was observed as a school holiday, commemorating the 400th anniversary of the discovery of America.

In connection with the Rhode Island school exhibit at the Centennial Exposition at Philadelphia in 1876, a "History of Public Education in Rhode Island" was published under the direction of Commissioner Stockwell. In 1893 an exhibit was prepared for the World's Columbian Exposition.

Commissioner Stockwell was active in attempting to secure uniformity of textbooks throughout the state, and attained some success in this endeavor. He advised teachers against a tendency to devote school hours to hearing recitations, instead of instructing their classes. He advocated better wages for teachers. He was a keen student of school law and its effect, and conscientious in his endeavor to enforce and secure enforcement of law.

FREE TEXTBOOKS—FREE SCHOOLS.

The General Assembly made the public schools of the state absolutely free schools in 1893 by requiring school committees to furnish free textbooks and supplies for all pupils at the expense of the towns. This reform, first suggested by Commissioner Allyn as a way of removing one obstacle to more general school attendance, was accomplished in the year that

he died. Free textbooks were recommended by Commissioner Stockwell in 1892.

The movement from public schools to free schools had covered half a century, for the year 1894 was the 50th since the reorganization of the Rhode Island school system under Henry Barnard. It was also the 25th year of the State Board of Education. In 1894 there were 505 public school buildings in the state, the estimated value of property held for public school purposes being \$3,865,000. The number of school buildings had been 312 in 1844, 316 in 1849, 378 in 1854, 446 in 1879, 453 in 1884, 474 in 1889. State appropriations for public school support had increased from \$25,000 in 1844 to \$126,747 in 1894; town appropriations from \$25,500 in 1844 to \$966,594 in 1894. With poll taxes, dog taxes and district taxes, the total amount available for school support in 1894 was \$1,670,010. The expenditures for public schools in 1894 amounted to \$1,478,840, of which \$420,706 was for schoolhouses.

BRIEF SUMMARY

In this chapter and the preceding chapter the progress of school improvement for half a century has been presented, first, in relation to the solution of six major problems developed by the Barnard school law, and, secondly, in a narrative, partly chronological and partly topical. Perhaps the best review and summary of the entire movement is afforded by an outline of the school organization as of 1894, with indications of changes and of innovations introduced after 1845.

I. Administration.

1. The General Assembly, a state school committee.
2. The Board of Education created in 1870, the Governor and Lieutenant Governor representing the executive and six elective members the legislative department. The board elected the Commissioner of Public Schools, apportioned aid to and made rules

and regulations for public libraries (1875), and apportioned aid to evening schools (1873). All educational institutions receiving state aid and all private schools reported to the Board (1892), as did the Commissioner. The Board of Education reported to the General Assembly.

3. The Commissioner of Public Schools, elected (after 1871) by the Board of Education. He was secretary of the board, dispenser of the state's appropriations for teachers' money and school apparatus (1880). His relations to the public schools were advisory and supervisory. He heard and decided appeals under the school law (jurisdiction confirmed 1873). He had charge of teachers' institutes
4. School committees, in charge of town systems, but dividing authority under district organization with district trustees. Town or district system was optional with the town (1884).
5. School superintendents (compulsory 1871), elected by school committees (1884); compensation fixed by towns.
6. Truant officers, appointed by town councils (1883), and factory inspectors, appointed by Governor (1894).

II. Support of Schools.

1. Mandatory support by towns (1882); taxation must equal state school money (1871).
2. State support, by general appropriation for teachers' salaries, \$120,000 (act of 1884); by annual appropriations for evening schools (1873) and school apparatus (1880).
3. Poll taxes replaced registry taxes in 1888. Dog taxes (1869).
4. Tuition forbidden (1868); free textbooks (1893).

III. School Property.

1. Land and buildings, provided by towns and districts, located by school committee, with power to condemn sites (1859, 1887).
2. Apparatus and reference books, supplied by town, with state aid (1880)
3. Textbooks and supplies, free, furnished by towns (1893).

IV. School Teachers.

- 1 Provision for education at state expense at Normal School (1871). Teachers' institutes, state supported.
2. Examined and certificated by Board of Trustees of Normal School (1871) or school committee.
3. Hired by trustees under district system, by school committee under town system.

V. School Pupils.

1. Exclusion only by general rule; no color discrimination (1866).
- 2 Compulsory attendance (1883-1894).
 - a. Children 7 to 15 must attend 80 full school days, or the full school term when not regularly employed.
 - b. Children under 12, or under 15 if unable to write, or under 15 without certificate of schooling, forbidden employment.
 - c. Enforcement by truant officers and factory inspectors.

VI. Educational Institutions Other Than Public Schools.

1. Rhode Island College of Agriculture and Mechanic Arts (1892).
2. Rhode Island Normal School (1871).
3. Rhode Island School of Design (1877, 1882).
4. Rhode Island Institute for the Deaf (1877, 1882, 1892).
5. State Home and School (1885).
6. The Sockanosset and Oaklawn Schools (reformatory).
7. Free public libraries, receiving state aid (1875).

CHAPTER VI.

EXTENSION AND IMPROVEMENT.

In previous chapters the history of the public elementary school system has been traced to its perfection as a universal free public school system through mandatory provisions for its support, through the abolition of all charges or taxes upon pupils and their parents, through compulsory attendance laws, and through the introduction of free textbooks. This chapter ventures backward somewhat into the period already covered by the chronology of previous chapters, and then carries forward the history to 1918. It deals with three phases of Extension and Improvement, both before and after 1893:

I. Extension of the school system by provision of educational opportunities for defective classes.

II. Extension of the school system by provision of opportunities for public education beyond the elementary grades.

III. Improvement of the entire public school system after 1893.

I. EDUCATION FOR DEFECTIVE CLASSES.

Rhode Island provides maintenance and care for blind children, institutional instruction for blind, deaf, dumb, indigent and imbecile children, and instruction for the adult blind in their homes.

The General Assembly, in 1836, directed town clerks to report the number, age, sex and pecuniary condition of deaf and dumb persons, and the extent of their education. At the January

session in 1845 an annual appropriation of \$1500 was provided "for the education at the American Asylum at Hartford for the instruction of the deaf and dumb, of the indigent deaf-mutes of the state, and for the education of the indigent blind of this state at the institution for the education of the blind located at South Boston." Byron Diman was appointed a commissioner for the distribution of the appropriation, the expenditure of which was limited to \$100 a year and to five years for each beneficiary. In 1851 the appropriation was made \$2500, and its distribution was entrusted to the Commissioner of Public Schools, while \$1500 was appropriated to be distributed by the Governor for the education of imbeciles and idiots. The power of naming beneficiaries passed ultimately to the Governor, and in 1893 "the duty and responsibility of supervising the education of all such beneficiaries" were vested in the Board of Education.

Rhode Island Institute for the Deaf.—In 1877 a day school for the instruction of deaf-mutes by the modern lip-reading method was opened in Providence. The city furnished a schoolroom, and the Governor appointed five beneficiaries of the state appropriation for the education of the deaf as state scholars. The number of pupils grew gradually. In 1882 the school was reorganized as a state institution. Ten years later a permanent home for the school was built on Hope street in Providence, and it was reorganized as the Rhode Island Institute for the Deaf, and placed under control of a board of trustees. In 1896 attendance was made compulsory for children between the ages of 7 and 18 years whose "hearing or speech, or both, are so defective as to make it inexpedient or impracticable to attend the public schools to advantage, not being mentally or otherwise incapable." Children 3 to 20 years of age are received at the school, the primary object of which is "to furnish to the deaf children of the state oral instruction and the best known facilities for the enjoyment of such a share of the benefits of the

system of free public education as their afflicted condition will admit of." The school is free for legal residents of the state.

Exeter School.—The General Assembly, in 1907, made provision for the establishment of a home and school for the feeble-minded, under the management and control of the State Board of Education. The institution is located at Exeter. It provides instruction and education for feeble-minded persons who are within school age or who are capable of being benefited by school instruction, and custodial care for feeble-minded persons beyond school age or who are not capable of being benefited by school instruction. The school is for idiots and imbeciles; its work should not be confused with that done for backward children in public elementary schools. In 1916 the name of the institution was changed from Rhode Island School for the Feeble-Minded to Exeter School. In 1917 the State Board of Education, on its own suggestion, was relieved of responsibility for the further care and management of the Exeter School, and the institution was entrusted to the newly created Penal and Charitable Commission.

Education for the Blind.—The Governor, on recommendation by the Board of Education, may appoint deaf, imbecile or blind children as state beneficiaries at any suitable institution within or without the state. The Board of Education supervises the education of such appointees, and may spend in the purchase of clothing "a sum not exceeding \$20 in any calendar year for a single child." Since 1908 the Board of Education has been empowered to provide for the education of adult blind students of the state at their homes, employing two visiting teachers. The Board may also provide for the care and maintenance of children born blind or becoming blind.

State Home and School for Children.—After repeated recommendations by the Commissioner of Public Schools and the Board of Education, that the state should provide an industrial

school, the State Home and School for indigent children was authorized in 1883, and opened on Smith street in Providence, in 1885. The institution was managed by a board of control until 1917, when its care and management were entrusted to the Penal and Charitable Commission. The school receives such children as are declared vagrant, neglected and dependent on the public for support, over 4 and under 14 years of age, who are in suitable condition of mind and body to be instructed. Children under 4 may be admitted for exceptional reasons, and children once admitted may remain in the institution until they are 18 years old, unless otherwise ordered by the board. Children of unsound mind are excluded. The object of the school is to "provide for neglected and dependent children, not recognized as vicious or criminal, such influences as will lead toward an honest, intelligent and self-supporting manhood and womanhood, the state so far as possible holding to them the parental relation." The board has power to place the children in good families, which undertake to care for them and to provide for their education in public schools.

Sockanosset School for Boys is an institution "for the confinement, instruction and reformation of juvenile offenders and of young persons of idle, vicious or vagrant habits," as described by the statutes, but the late superintendent declared that it "is an institution for the moral uplift of the unfortunate boy who has been brought here through conditions for which he is not always responsible. Prominent among these might be neglect of proper guidance by those who should have been responsible for his upbringing, by virtue of which the lad is the real sufferer, and these conditions should be considered by those who have him in charge. The real object of this institution, therefore, is to reclaim these lads and endeavor to make of them law-abiding and useful citizens by educating them along lines that would lead them into useful pursuits, and developing those talents which it may be found they possess."

The Sockanosset School was opened in 1850 in connection with the Providence Reform School; it was removed to Howard in 1882. Previously under control of the State Board of Charities and Corrections, the institution in 1917 was committed to the care of the Penal and Charitable Commission. Under Superintendent Gardner* marked attention has been given to the improvement of school education and the teaching of skilled trades. A building formerly used as a dormitory has been remodelled as a school building. The boys are organized in graded classes, but special attention is given to boys needing individual instruction. The boys have constructed a vocational trade building of reinforced concrete, which houses eight shops, in which the boys are taught as many trades while producing articles used at the school and in other state institutions. The estimated value of the building is \$46,000; the boy labor employed saved the state half that amount. The building is an enduring monument to boy labor well employed.

Oaklawn School for Girls was established in 1850 in connection with the Providence Reform School. It was removed to Howard in 1882. Its purpose is corrective. It provides care and education for female juvenile offenders. A cottage plan is in operation for the segregation of girls into classes according to the nature of their offences. The small number of girls committed to the Oaklawn School, the comparatively short periods of sentences, and the necessity of separating girls in cottages, prohibit the organization of graded classes, although schools are conducted, and an earnest effort is made to promote education. Much the same reasons have almost inhibited the organization of vocational classes, but all girls are given careful training in various departments of domestic service. The institution passed in 1917 from control of the State Board of Charities and Corrections to the care and management of the Penal and Charitable Commission.

*Retired, 1917.

All institutions under the care, control and management of the Penal and Charitable Commission which provide school education for children are required to make annual reports to the State Board of Education, and may employ as teachers only those who hold certificates of qualification issued by the State Board of Education. It is the right and duty of the Commissioner of Public Schools to visit and inspect these schools at any time, and to make suggestions for improvement.

II. HIGHER EDUCATION.

Beyond the public elementary schools, attendance at which is compulsory, Rhode Island provides opportunities for secondary education in public high schools, which are aided by an annual appropriation and which towns are required to maintain by a mandatory statute. Higher education is provided free for residents of the state at Rhode Island State College. Vocational education is free for residents of Rhode Island at Rhode Island Normal School and in the graduate department of education at Brown University, for teachers; at the Rhode Island School of Design, which maintains eight departments of instruction in trades and industries; and at the Rhode Island College of Pharmacy and Allied Sciences, for pharmacists. The state system of free public schools thus extends from kindergarten through college. At other institutions than those maintained by public agencies opportunities for free education are provided through free state scholarships.

Rhode Island State College.—The appointment of beneficiaries to free scholarships at Brown University ceased in 1892, when the university surrendered to the state the proceeds of the sale of land granted under the Morrill Act of 1862, amounting to \$50,000. Rhode Island, in 1888, established an experiment station and school of agriculture at Kingston, the former to receive the \$15,000 annually appropriated by the Hatch Act of 1887. The school of agriculture was reorganized as the Rhode

Island College of Agriculture and Mechanic Arts in 1892, and in 1909 the name of the institution was changed to Rhode Island State College. The college is supported, partly by the United States Government and partly by the State of Rhode Island, receiving annually: The income of the land grant fund under the Morrill Act of 1862, \$2,500; for experimental purposes, \$15,000 under the Hatch Act of 1887, and \$15,000 under the Adams Act of 1906; for "instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic sciences, with special reference to their application in the industries of life, and to the facilities for such instruction," \$25,000 under the Morrill Act of 1890, and \$25,000 under the Nelson amendment of 1907; \$10,000 for college extension in co-operation with the Department of Agriculture under the Smith-Lever bill, a total of \$92,500 annually, directly or as the income of funds provided by Congress; and \$40,000 for support and maintenance from the state treasury. The college buildings and equipment have been provided by the state, representing an investment exceeding \$450,000.

The growth of the college was not rapid in its earlier years; its functions were not clearly understood by the people generally, and it was not distinctly a popular institution. The enthusiasm of leaders in the movement for extension of the college was offset and counteracted somewhat by distrust, dissatisfaction with the cost of maintenance and improvement without realization of the ideal developing, and almost irreconcilable opposition by alumni and friends of Brown University, who feared the growth of a rival institution of collegiate rank within the borders of the state. Most of the reaction has spent itself; coldness and apathy are giving way to pride in the achievements of the college, and appreciation of the fundamental ideal propounded by Senator Morrill: "To offer an opportunity in every state for a liberal and larger education to large numbers,

not merely those destined to sedentary professions, but to those much needing higher instruction for the world's business, for industrial pursuits and professions of life . . . to give a chance to the industrial classes of the country to obtain a liberal education."

The General Assembly in 1908 appointed a commission of inquiry for special examination of the college, with instructions "to visit the Rhode Island College of Agriculture and Mechanic Arts, make a study of its aims, plans and work, determine its educational value to the state, consider ways and means by which its service to the state may be enhanced, and report thereon, with such other suggestions as they may deem proper." The commissioners' report, presented to the General Assembly in 1909, reviewed the legislation of Congress under which the land-grant colleges were established and fostered, the history of land-grant colleges generally, and of the Rhode Island college in particular. While emphasizing the state's "solemn compact with the United States Government" to maintain a college, set forth in the General Assembly's resolution in 1863, accepting the Morrill grant, "that the faith of the state be and hereby is pledged to the United States that, upon receipt of the scrip provided to be issued under the said act of Congress, it will apply the proceeds thereof to the objects and in the manner prescribed by this act," the commission replied with facts to criticisms of the college which had occasioned the inquiry. The commission unanimously advocated the continuance of the college and its extension on the lines already laid down.

The college offers four-year courses in agriculture, mechanical, electrical, chemical, and civil engineering, a teachers' four-year course in applied science, and a four-year course in home economics; and two-year courses in agriculture and domestic science. Extension courses in agriculture and engineering are provided, and the work by the experiment station is closely correlated with the agricultural interests of the state. The

total enrollment of students at the college exceeds 250, of whom 225 are taking four-year courses leading to collegiate degrees. The college is governed by a board of seven members, consisting of the Commissioner of Public Schools, one member appointed by the State Board of Agriculture and five appointed by the Governor.

"Our state system of public education is no longer a system of schools alone, but one of school and college," says Commissioner Ranger. "We need to remember that this institution (the college) is a vital factor of the state government in its entire educational enterprise; that it is the public's college and that it serves the public's youth, as the elementary school cares for the public's children. . . . The Rhode Island State College clearly exemplifies free public education administered by the state government. . . . As the opportunities of high school education, following free elementary school instruction, were made free by the state government to every boy and girl, so in the founding of the Rhode Island State College free collegiate education was offered to every youth, making another advance in free public education. With all its strength and power of the past, the college has hardly passed its formative period; and it yet awaits a higher recognition of its worth, a truer appreciation of its aims and service, a deeper sense of public responsibility for its needs, and that generous support of the people which in good time will enhance its value fourfold to the state and make it a fitting consummation of the system of free public education."*

When war was declared against Germany in April, 1917, the Rhode Island State College Cadet Battalion was the only completely trained and equipped body of troops on which the Governor could call for immediate service. The alumni of the college, and the students in upper classes, enlisted in large numbers in various governmental services. The alumni of

*Address at R. I. College, Oct. 26, 1912.

Rhode Island State College have made an enviable reputation for the college in various walks of life, amply justifying the great faith that Senator Morrill voiced in advocating federal aid for education of collegiate grade for the people of all classes.

Rhode Island Normal School.—As a necessary adjunct thereof, the Normal School might be considered part of the elementary public school system. The Rhode Island Normal School, however, is a splendidly efficient institution, needing only slight modification and extension of the courses to four years to make it a normal college. It is a distinctly high-grade professional school, with strict, selective entrance requirements and well-maintained standards. The present Normal School was established in 1871, with the Board of Education and the Commissioner of Public Schools as a board of trustees in charge. Ample provision for its maintenance was made by the General Assembly, and it was successful from the beginning. Although there was no rapid increase in the number of students in the first 20 years, there was a substantial, steady increase. The average enrollment was 148 in the first five years, 152 in the second five, and 155 in the third five years of the school's existence. The enrollment reached 200 in 1890, and was 218 when the present building was occupied in 1898. The enrollment exceeded 400 in 1917.

The Normal School was opened in temporary quarters in Normal Hall, on High street, Providence, and removed subsequently to the building on Benefit street which had been the Providence high school and is now the home of the Supreme Court of Rhode Island. Model and training schools in connection with the Normal School were opened in the schoolhouse at Benefit and Halsey streets in Providence, in 1894. Four years later the Normal School removed to its present building, which was authorized by the General Assembly in 1893. The lower floor houses a model and training school of nine rooms, from

kindergarten through the recognized eight elementary grades, besides a model Montessori school.

Under J. C. Greenough, the first Normal School principal, a two-year course was established, with special provision for advanced standing and completion of the work in one year by well-prepared students. No little difficulty was experienced in overcoming inequalities of preparation. Commissioner Stockwell, who served as acting principal after the resignation of Mr. Greenough until the appointment of Dr. Morgan, analyzed the problem and suggested a solution. He said:

"The entire lack of academic preparation which marks so many of the pupils who have never enjoyed better advantages than the district school or the village grammar school has rendered necessary the most strenuous efforts to equip them with the requisite knowledge. But it has been found that the time allotted to the work is altogether too limited; and the practical experience of the past few years has been that for such pupils at least three years are necessary for the proper completion of the course.

"On the other hand, we are constantly receiving from the best high schools of the state pupils who have been well taught and trained, whose knowledge of the various studies laid down in the course is as a rule excellent, and who are scholarly in their tastes and habits. Now it is manifestly neither just nor wise to put such pupils into the same class of work to which you would assign one to whom the whole subject matter was entirely new. The two elements are not calculated to assimilate, nor can the two derive equal benefit from the work done. It will be too simple for the one or too difficult for the other. It would seem as though a double scheme should be prepared, which shall provide, on the one hand, for the giving of the requisite instruction in the various branches of learning to those who are destitute of this knowledge, and then to also secure a year of specific training in the science and art of teaching for those who come well equipped with the requisite knowledge, but without any idea of what to do with it. Such an adjustment will, I think, tend to commend the school more fully to all, and lead many to attend who otherwise would have never thought it necessary or even desirable."

The organization of two courses, a distinctly professional course and a preparatory course, as suggested, was undertaken by Dr. Morgan. In 1891 the longer course was extended to

three and a half years, and in 1894 required observation in the model schools and practice in the training schools extended the course to four years. The building provided for a model and training school housed three model schools and five training schools. The latter were taught by Normal School pupils under the supervision of experienced critic teachers. High school graduates were permitted to complete the professional work in two years, and a special one-term course was provided for appointees to teaching positions in the schools of Providence, who completed preparation for teaching in city training schools.

The growth of the Normal School has been rapid since 1898. More stringent entrance requirements and stronger courses have been adopted, the preparatory course has been abandoned as no longer necessary, residents of other states have practically been excluded, but still the number of students tends to increase. The course now covers two and a half years of strictly professional training beyond the four years of high school training required of all candidates for admission. The work includes six months of practical training in a public school-room under the supervision of an experienced critic teacher, each of whom trains two students. For critic teachers the state pays up to \$400 in addition to the salary paid by the town or city in which the training school is located. Training schools are scattered over the state. Several towns require candidates for teaching positions to undergo a further period of practice teaching. For classes graduating in 1920 and thereafter the course is three years, including two years of work in the Normal School, one-half a school year in training, and one-half a school year of successful experience in a public school.

The Normal School, therefore, comprises a professional school for teachers, a model and observation and training schools housed in the same building, and a series of 63 training schools. It also offers extension courses for teachers, aiming to improve professional standards and to keep teachers in service close up

with the progress of educational science. In the summer of 1917 a summer school for teachers and an institute for library workers was conducted at Rhode Island Normal School. The enrollment of teachers for professional courses was 185. Through the co-operation of Rhode Island State College a series of lectures and demonstrations in home economics was presented.

These extracts from a recent report of the Board of Trustees present a marked contrast to the extract from Commissioner Stockwell's report printed above, and indicate the present-day standards and aims of the Rhode Island Normal School:

"Though generally recognized as one of the most successful normal schools in America, it has by no means reached the limits of its development or realized completely the purposes of its existence. . . . The fact that its scholastic requirements for admission of students are of the same grade as college entrance requirements and that the work of its students is accredited by colleges establishes its academic standing as of collegiate rank among educational institutions. . . . How gratifying may be the high academic rank and educational position of the Normal School, the best measure of its usefulness is the recent gain in the relative number of teachers of professional training in our elementary public schools. . . . Steadily, year by year, the relative number of public school teachers of normal or professional training has increased until it is more than two-thirds of the total number of teachers in elementary or common schools. . . . No state has so large a per cent. of public school teachers who have had professional training for their work as Rhode Island, and we are rapidly approaching a time when a teacher of professional rank will be available for every school in the state. . . . The chief duty of the school is to complete the task it set out to do, to make available for every elementary school in the state a professionally trained teacher. When this is done, or as soon as a sufficient number of students are willing to extend their term of professional preparation to four years, the very advantage to be gained by public schools through a better preparation of teachers will justify the proposed advance. To employ generally in the elementary schools of Rhode Island teachers of professional training and collegiate culture is not only desirable but possible in the not distant future."

The excellence of the Rhode Island Normal School has won it recognition within the state and reputation beyond the

borders of the state. "No state except Rhode Island," said the Commissioner of Education of Massachusetts recently, "surpasses Massachusetts in facilities for the training of elementary school teachers." This tribute belongs almost exclusively to Rhode Island Normal School. In a bulletin* of the National Bureau of Education, printed in 1916, reporting a special study of state normal schools, Rhode Island Normal School was selected for special distinction and praise. In particular the system of training schools was described as providing facilities for preparing teachers for service unsurpassed and unequalled elsewhere. Such unusual tribute to its general excellence is well deserved by this splendid institution.

Rhode Island School of Design.—The School of Design was chartered in 1877 as a private institution "to furnish such instruction in freehand and mechanical drawing, painting, modeling and designing as is required by artisans generally, that they may more successfully apply the principles thereof to the mechanic arts and industries, and to give such systematic training to students as shall enable them to become successful art teachers, and to promote the general advancement of art and culture." In 1882 the school was made the beneficiary of an annual appropriation, under an agreement by which the Commissioner of Public Schools and two members of the Board of Education became trustees of the school, and the school reported annually to the Board. Commenting upon this agreement in 1883, the board of management said: "The State of Rhode Island is dependent in an unusual degree upon its manufacturing industries. The most successful manufacturers are those who keep abreast of the times. The most skilled workmen still come to us from abroad. The action of the Legislature last year shows that it sees no reason why the inventive Yankee should not take his place beside them." To further

*Bulletin 12, 1916, Problems Involved in Standardizing State Normal Schools. Judd and Parker.

the purposes indicated, the state, in 1883, inaugurated an annual appropriation for free scholarships at the School of Design, beneficiaries to be appointed by the Board of Education.

Since 1883 thousands of young people and workers have received in the Rhode Island School of Design, through state free scholarships, education which has helped them to improvement in trades and industries requiring skill and technical knowledge. The opportunity for education thus offered has been appreciated; in every year since 1883 the demand for scholarships has exceeded the number which could be apportioned under the annual appropriation. The General Assembly has been constrained, from time to time, therefore, to increase its annual appropriation for scholarships.

The Board of Education before the opening of the Normal School building advocated use of the basement as a textile school, but subsequently withdrew this recommendation when other use was found for the basement. The General Assembly, in 1913, provided an annual appropriation of \$5000 for the School of Design, to be applied "exclusively to the general uses and purposes of its textile department," and a further appropriation of \$5000 annually for the same purpose when the school provided a special building for its textile department. The new building was completed and in use in October, 1915. The annual appropriation for maintenance, scholarships and the textile school was \$23,000 in 1917.

Brown University.—In 1895 a plan for co-operation between the city of Providence and Brown University in the training of teachers for high schools was adopted. The university had already established a department of pedagogy with Walter B. Jacobs as instructor. The co-operative plan provided for an extension of the work of the department in the university, and the appointment of two graduate students annually at salaries of \$400 each as student teachers in the city high schools. The work has since then been extended by the appointment of

additional student teachers under salary and student teachers on part time without compensation, the city high schools serving as training and practice schools for the university. Fall River recently adopted a similar plan in co-operation with Brown University, and New York city has adopted the plan.

The State Board of Education was authorized in 1912 to "provide in co-operation with Brown University suitable post-graduate courses of instruction in said university in the principles and practice of education, designed to prepare students for positions as superintendents of public schools and high school teachers and principals." An appropriation of \$5000 annually was provided, to be applied to the purposes named and to free scholarships, and the Board of Education was authorized "to appoint persons of proper age, character and acquirements who desire to become teachers, principals or superintendents in the public schools of this state to state scholarships, which shall enable them to pursue post-graduate courses of instruction in Brown University." Under this agreement a new professorship of educational psychology was established, and Stephen S. Colvin was called from Illinois University to the new chair in Brown. Under Professors Jacobs and Colvin the graduate department of education is flourishing. In four years of state support the graduate department of education has become the strongest in the university. The number of courses taken and the number of students have both increased more than 200 per cent. The increase has come through the students holding state scholarships. Benefit to the state has come through the improvement of the large number of prospective teachers and teachers in service who have undertaken study in the graduate department of education at the university.

Rhode Island College of Pharmacy and Allied Sciences was granted a charter in 1902. In 1916 the General Assembly provided an annual appropriation of \$1000, to be expended under

the direction of the State Board of Education for free state scholarships. The Board is empowered to visit and examine the college, and the college is required to make an annual report to the Board.

High Schools.—The first public high school in Rhode Island was established in Providence in 1843. Newport established a public high school at the same period. Other town high schools followed in this order: Warren, 1847; Bristol and Woonsocket, 1849; Pawtucket, 1862; Westerly, Lincoln and Hopkinton, 1871; Barrington and East Providence, 1884; Johnston, 1885; New Shoreham, 1887 and 1898; Cranston, 1890; Burrillville, 1891; Cumberland, 1894; North Kingstown, 1901; South Kingstown, 1904; Warwick, 1905. Lincoln high school became Central Falls high school in 1895. Johnston high school was closed when part of the town was annexed to Providence. South Kingstown high school was established in 1880 as a private high school. Warwick high school became West Warwick high school in 1913.

The General Assembly by resolution in 1896 directed the State Board of Education to report measures for school improvement, and the State Board of Education recommended, with other things, improved high school facilities. Twenty-two towns then had no high school, and these towns comprised 80 per cent. of the area of the state, though their children numbered only 20 per cent. of the school population. The General Assembly, in 1898, as part of an act "to secure a uniform high standard in public schools of the state," provided that "any town maintaining a high school having a course of study approved by the State Board of Education, shall be entitled to receive annually from the state \$20 for each pupil in average attendance for the first 25 pupils, and \$15 for each pupil in average attendance for the second 25 pupils, and that any town not maintaining a high school, which shall make provision for free attendance of its children at some high school or academy approved by the State Board of Education, shall be entitled to

receive aid on the same basis." In 1909 the aid was increased \$5 per pupil, and the new law provided that a town not maintaining a high school must make provision at the expense of the town for free attendance of its children at some high school or academy approved by the Board. Thus the provision of a high school or high school education was made obligatory. This interpretation of the high school law has recently been established by a decision of the Commissioner of Public Schools, which was approved by a justice of the Supreme Court, and is, therefore, final in fact and in law. In the particular case the town's obligation to provide high school education was not denied, but it was asserted by the town that this obligation was limited to four years for each pupil, and was conditional upon the pupil's maintenance of class standing. The town refused to pay tuition for a boy who had already attended high school at the town's expense for four years without completing his course, and also for a boy who was repeating the school work for a year for which tuition had been paid by the town. The Commissioner held that the public high school, as an extension of the public elementary school, is to be governed by essentially the same rules and regulations, practices and customs; that no restrictions or conditions of the kind set up by the town had prevailed in elementary schools; that such restrictions and conditions were inconsistent with attendance laws, and contrary to the public policy which dictates always an extension rather than a restriction of public education. The decision held that the law is mandatory. *Hudson vs. Coventry*.

There were in 1917 22 high schools in Rhode Island, four in Providence and one each at Ashaway, Barrington, Bristol, Burrillville, Central Falls, Cranston, Cumberland, East Providence, Hope Valley, Newport, North Kingstown, New Shoreham, Pawtucket, South Kingstown, Warren, Westerly, West Warwick and Woonsocket. At Little Compton a high school offering a two-year course was being maintained.

State aid for high schools is conditional upon approval by the Board of Education. In 1914 the Board of Education appointed Professor Stephen S. Colvin inspector of high schools, and made it his duty to visit and examine all the high schools of the state as often as once a year, and other secondary schools as occasion may require. Minimum requirements* for the approval of standard high schools have been adopted by the Board of Edu-

***Minimum Requirements for the Approval of Standard High Schools in the State of Rhode Island:**

High schools in Rhode Island that meet the following requirements shall be classed as standard high schools and may be granted the approval of the State Board of Education, entitling them to state aid:

1. That they shall be maintained at least 38 weeks in each school year.

2. That three or more teachers shall be employed, and that there shall be at least one teacher for every 30 pupils enrolled in the school. Whenever possible, one teacher shall be provided for every 25 pupils; and in laboratory courses not more than 20 pupils should be assigned to a teacher.

3. That a teacher shall not be required to instruct classes more than five hours in any school day. In many cases a limit of four hours of class instruction is advisable. This does not include individual instruction and other school duties.

4. That every teacher employed shall hold a certificate of qualifications granted by or under authority of the State Board of Education. In the engagement of teachers hereafter the aim should be to employ college graduates who have pursued graduate courses in professional preparation for at least one year.

5. That one or more courses of four years, following an elementary course of eight years, shall be maintained, offering a minimum of 15 units of study, a unit meaning a single subject, or related subjects, pursued not less than four periods a week for a school year of not less than 38 weeks; and that each subject and course be subject to the approval of the State Board of Education.

6. That adequate equipment shall be provided for instruction in the courses maintained. Each high school should have a well-equipped library or study room,

supervised by a teacher or properly qualified librarian, and containing books needed for reference and for regular or supplementary study in the subjects and arts taught. Each school should be provided with illustrative material, such as maps, charts, models, projection lanterns, etc. Courses in physics, chemistry and biology should be taught only in connection with properly equipped laboratories. Courses in commerce, agriculture, manual, domestic and industrial arts should be provided with an equipment suited to their needs. Library, laboratory and other equipment will be subject to the approval of the State Board of Education on inspection.

7. That proper standards of admission shall be determined and regularly maintained by local management. For admission to an approved high school course of four years and graduation therefrom, the completion of a regular elementary school course, or equivalent, shall be required. A standard high school, however, may offer courses of less than four years, to which pupils of 14, or more, years of age may be admitted.

8. That efficient instruction and government shall be regularly maintained. Lax government or inferior instruction will be deemed sufficient cause for the revocation of approval.

9. That all legal requirements are observed.

Provisional Approval of High Schools in Rhode Island.

High schools in Rhode Island not fully meeting the requirements of standard high schools may be approved for the amount of secondary school work accomplished as a proportional part of the work of the four secondary school years, provided that they meet the requirements of standard high schools in length of school year and methods of admission, and give satisfactory evidence of efficiency in the work they attempt to do.

cation, in substance as follows: (1) That they shall be maintained at least 38 weeks in each school year; (2) that three or more teachers be employed, and not less than one teacher for each 30 pupils, no class in a laboratory to exceed 20 pupils per teacher; (3) that no teacher shall be required to instruct classes more than five hours a day; (4) that teachers hold teachers' certificates; (5) that one or more four-year courses be maintained; (6) that adequate equipment be provided; (7) that proper standards of admission, not less than completion of elementary grades, shall be determined; (8) that efficient instruction and government be regularly maintained, and (9) that all legal requirements be observed. The state law also requires approval of high schools or academies to which children are sent under the law permitting towns to draw high school money when not maintaining high schools. With the appointment of the state inspector, all approvals were withdrawn; new approvals, based on his reports, are limited to three years for high schools and one year for other secondary schools, and are revocable at any time. Provisional approval of high school courses of less than four years may be made for the amount of high school work of approved standard accomplished.

Public high schools have replaced academies. Of the early academies many, which though offering instruction in higher branches, were in reality private schools devoting much of their efforts to work now part of the elementary school grades, endured not long beyond the opening of public schools. Those that survived and others organized at later date confined themselves to branches now taught in public high schools and to preparation of boys and girls for college. Of the old Rhode Island academies only the Moses Brown School in Providence, replacing the Friends' School, and the East Greenwich Academy, replacing Kent Academy, are still in existence, though the latter is rather a quasi-public high school for the section than a genuine private academy. In recent years several select schools

of secondary grade have been established in Rhode Island, and the Roman Catholic Church maintains academies in East Providence, Newport, Woonsocket, and three in Providence.

III. IMPROVEMENT OF THE PUBLIC SCHOOL SYSTEM.

Improvement of public schools in the generation since public schools became absolutely free schools through the introduction of free textbooks has been directed along six principal lines of endeavor, as follows:

1. Stricter compulsory attendance, extension of school age, and restriction of the employment of children.
2. Establishment and maintenance of uniform high standards for all schools.
3. Improvements of teaching, and the economic and professional status of the teacher.
4. Extension of expert supervision of schools.
5. Abolition of districts and centralization of management.
6. Provisions for the safety and health of school children.

Compulsory Attendance and Employment of Children.

The General Assembly in 1894 enacted the first law requiring factory inspection, providing for the appointment of two factory inspectors. Their duties included enforcement of the law excluding children under 12 years of age from factory employment, and factories were required to keep registers of children under 16. In 1905 the number of factory inspectors was increased to three,* and the age of exclusion of children was raised to 13 years until December 31, 1906, and to 14 years after December 31, 1906. The law of 1905 also contained the first draft of the present elaborate age and employment certificate legislation. Two years later the limitation of the act to "factories,

*Five in 1910 and thereafter.

manufacturing and business establishments" was removed, the new law covering every person, firm or corporation . . . employing five or more persons or employing any child under 16 years of age, except at household service or in agricultural pursuits. The form of certificate has been changed from time to time, additional requirements tending to establish, by accurate description, the identity of the child certificated. The law, as amended in 1913, required a physician's certificate that the child was in sound health and physically fit for employment. As it affects children of school age, the factory inspection law is closely correlated with school age and attendance laws.

The taking of the annual school census was transferred from the supervision of town councils to school committees in 1900, and the following year the election of truant officers likewise became a function of school committees. These reforms had been advocated by school authorities for several years, on the ground that the functions of school census and attendance officers are connected exclusively with schools. In 1902 school age was raised to 13 years for all children, and to 15 years for all children not regularly employed, and full school term attendance was substituted for the older requirement of 80 full school days. The law required every child under 15 years of age, "unless he has completed in the public schools the elementary studies taught in the first eight years of school attendance, exclusive of kindergarten instruction, provided in the course of study adopted by the school committee of the town where such child resides, or unless he shall have completed 13 years of life and shall be lawfully employed at labor or at service or engaged in business," to attend some public day school all the days and hours that the public schools are in session, with provision for instruction in other schools or privately, in substitution for instruction in public schools, provided the private instruction or the instruction in other schools was approved by the school committee. School age was raised to 14 years in 1909, and

in 1917 children under 16 were required to attend day school regularly unless they were over 14 and regularly and legally employed or engaged in business. After January 1, 1911, children under 16* were forbidden employment unless able to "read at sight and write legibly simple sentences in the English language," and unless healthy and physically able to work. An amendment in 1913 required that the child's "sound health" and physical fitness should be attested by a licensed physician who had made an examination of the child.

The law in 1917 required (1) children under 14 years of age and (2) children under 16 years of age not regularly and legally employed or engaged in business, to attend day school regularly. No child under 14 may be employed, and no child under 16 may be employed without an age and employment certificate, specifying (a) that he has completed 14 years of age, (b) that he is able to read and write legibly simple sentences in the English language, and (c) that he has been examined physically by a licensed physician, and (d) that the physician has found the child "in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between 14 and 16 years of age may be legally employed."

- The state pays for physical inspection. The child's age must be proved by (1) birth certificate, (2) baptismal certificate, or (3) passport. If none of these documents can be produced, the child may be sent to the Secretary of the State Board of Education, who, alone, has authority to establish the age of the child on other evidence. Under the Federal Child Labor Law of 1917 the Rhode Island age and employment certificate and the method of determining age were approved as meeting every requirement of the Federal law.

The Board of Education in 1913, commenting on the report of the Russell Sage Foundation of the results of a comparative study of state school systems, said of school attendance: "For many

*The change in law did not affect children who had obtained certificates before the law became operative.

years Rhode Island has made no appreciable gain in the percentage of its children of school age in school, although some gains have been made in the average attendance of those enrolled. While only 81.1 per cent. of the entire school population attended school for the year under review, it is significant that more than 94 per cent. of all children between 7 and 14 years of age, which is the compulsory school age, were enrolled in school the same year. Our loss in attendance is clearly of youth more than 14 years of age. Ordinarily only six per cent. of those 15 years old, and four per cent. of those 16 years old, attend school. The fact that of nearly 35,000 youth from 14 to 18 years of age, only 6802 were enrolled last year in our high schools also indicates a serious loss in education among those more than 14 years of age. Even if those 14 and 15 years of age who are not in regular employment were required to attend, or if continuation schools for those of these ages who are employed, with regular attendance of a few hours weekly, were provided, untold gain might accrue in educational quantity and efficiency."

An amendment to the certificate law in 1916 forbade the issuing of certificates for children other than those who presented a request from a prospective employer. The certificate must be sent to the employer, who is required to return the certificate to the school committee when the child leaves his service. This amendment aimed at correcting two abuses: (1) The taking of certificates by children who wished to hold the certificate as an excuse for not attending school, and (2) the transfer of certificates to other children. Under the older practice attendance officers seldom gave attention to children holding certificates, because the officers had no record of employment. Since the amendment was adopted, attendance officers have been enabled to keep accurate records of children over 14 years of age. The amendment promises a substantial improvement in attendance of children 15 and 16 years of age.

"A More Uniform Standard in the Public Schools."

Resuming its function as a state school committee, the General Assembly in 1896 adopted resolutions, which follow:

"Whereas, The Constitution of Rhode Island declares that 'the diffusion of knowledge as well as of virtue among the people being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools, and to adopt all means which they may deem necessary and proper to secure to the people the advantages and opportunities of education;' and

"Whereas, The opportunities afforded for education should be uniform throughout the state; and

"Whereas, Owing to the inability of some of the towns to raise by taxation a sufficient amount of money to provide, with the assistance of the present state appropriations, public schools equal to those provided by the more populous and wealthy towns, the school facilities of the state are not uniformly of the highest grade; therefore

"Resolved, That the State Board of Education be requested to prepare and report to the General Assembly measures by which the state shall still further supplement the revenues and efforts of the towns, to the end that the system of public schools throughout the state shall be uniformly of the highest attainable standard."

The Board of Education's report covered school conditions systematically and in detail. High schools were maintained in Providence, Newport, Pawtucket, Woonsocket, Central Falls, Cumberland, East Providence, Barrington, Warren, Bristol, Johnston, Westerly, Cranston, Ashaway and Hope Valley, while pupils from Lincoln attended high school in Central Falls. Most other towns maintained schoolhouses with one to four rooms, with some attempt at grading of pupils and courses of study, but pupils seldom reached the upper grammar grades. Six towns, Exeter, Foster, Little Compton, New Shoreham, Middletown and West Greenwich, had no graded schools. The towns maintaining high schools were mostly eastern towns. In the 22 towns having no high schools were 188 schools, 131 of which had less than 20 pupils enrolled, 49 less

than 10 pupils enrolled. The average size of schools for the whole state was 36 pupils. The board urged the necessity of uniting small schools, but found that the 22 towns comprised 80 per cent. of the total area of the state and contained only 20 per cent. of the total school population. Of 72* teachers in the state having only common school education, 71 were employed in the 22 towns. The highest salary paid to any teacher in these towns was \$467.50 annually, and the lowest \$230.83 to a woman, and \$209.05 to a man. These towns had only one-seventh of the taxable wealth of the state, and in 17 of them the per capita wealth was less than the general average throughout the state. The faults found by the Board were low grade or no grade schools, small schools, poorly prepared teachers and poorly paid teachers. The environmental difficulties were scattered population and low average per capita wealth. The Board recommended (1) Consolidation and grading of schools, (2) better examination of teachers' qualifications, (3) trained or skilled supervision, (4) high school facilities, (5) financial aid by the state, (6) that no town should lose any part of its share in the apportionment of state school money by reason of consolidation and reduction in the number of its schools.

The General Assembly, at the January session, 1898, passed "An Act to Secure a More Uniform High Standard in the Public Schools of the State." It provided: (1) That if any town should consolidate three or more ungraded schools, and instead thereof maintain a graded school of two or more departments, with an average number belonging of not less than 20 pupils for each department, the state should pay \$100 annually for each department of said schools toward the support thereof. (2) That similar payment should be made for similar unions by two or more towns. (3) That if any ungraded district school were consolidated with a graded school, the state should pay \$100 for each district consolidated, to be

*Only 13 such teachers were employed in 1916.

used for the support of the school or the transportation of pupils.

(4) State aid for high schools, or for towns making provision for attendance of their children at high schools or academies in other towns. (5) An appropriation of \$20,000 annually, to be apportioned by the Commissioner of Public Schools. (6) That no town should forfeit any part of its share in the state school money apportioned on the basis of number of schools, by reason of a reduction in the number of its schools by consolidation. (7) That school committees might consolidate schools in which the average number belonging was less than 12, for the purpose of establishing graded schools, and should have authority to provide for the transportation of pupils to and from schools. (8) That no person should be employed as principal or assistant in any school supported wholly or in part by public money unless such person held a certificate of qualification issued by or under the authority of the State Board of Education. After 1900 consolidation of schools by school committees must be approved by the Commissioner of Public Schools. After 1903 the Commissioner of Public Schools was authorized to deduct from any town's share of state school money an amount equal to the wages paid by the town to any teacher not holding a state certificate.

Briefly, the law of 1898 provided for the improvement of schools (1) by consolidation of small ungraded schools and the establishment of graded schools, (2) by encouraging the establishment of high schools through state aid, and (3) by state certification of teachers, or the establishment of standard qualifications. The law discriminated between the powers granted towns and the powers granted school committees, the former having a general power to consolidate schools, the latter power to act only when the average number belonging to a school fell below 12*. The premium for consolidation of schools was also an inducement for abandonment of the district organization.

*In 1915 the restriction was abolished. The school committee may close a school and furnish free transportation for pupils sent to other schools.

Further aid for rural schools was provided by an act passed in 1913, which appropriated \$5000 annually "in aid of the public schools of the state, to be apportioned by the State Board of Education, upon the recommendation of the Commissioner of Public Schools, for the purpose of aiding the schools in such of the towns whose taxable property is not adequate at the average rate of taxation throughout the state to provide public schools of high standard." Money apportioned under this act "may be used in the building or repairing of school-houses, the furnishing of the same and in the purchase of school equipment, books or supplies, and for the payment of teachers."

In the first report of the Board of Education following its enactment the law was called "the law providing a special appropriation to meet conditions of urgent need." The law followed the closing of schools in several rural towns for want of available funds. Of the operation of the law, the board said:

"It is enough to report here that under the approval of the Board of Education, the first object sought, through special arrangements with school committees of towns that have had short school years, was to insure for every boy and girl in the state school education for at least 36 weeks during the current year. This has been accomplished through provision already made that will insure a year of 36 weeks at least for every school in the school year beginning in September, 1913. In addition, other needed improvements have been made in the one-room schools of about 20 towns. This work has been governed by the following purposes: That expenditures should be made only to meet real needs; that no part of the appropriation should be applied to purposes for which local revenues are available; that aid in all cases should tend to encourage larger local responsibility and in no way lessen local expenditure, and that all efforts for improvement should be made in co-operation with school committees and with their active participation. School committees have zealously responded to these efforts to improve their schools, and in every case the town that has received any part of the special appropriation will have expended for the current year a larger sum for school purposes derived from local revenues than in the preceding year."

The General Assembly, in 1914, made the minimum school year 36 weeks, thus forbidding any retrogression from the

standard already attained. The average school year was 35 weeks and 4 days, that is, 179 days, in 1873. In 1895 it had reached 189 days, only one day short of New Jersey, which was first with 190 days; in 1898 it reached 191 days, but in 1899 it receded to 190 days, when Providence closed its schools early after a 37 weeks session. The comparative study of the public school systems of the 48 states undertaken by the Russell Sage Foundation showed that Rhode Island, with 193 days, was first in average length of school year, and fourth in the average number of school days per child, 116. The average school year in 1915 was 195 days; in 1916, 194 days. The minimum school year of 180 days promises to improve both records.

Improvement of Teachers and the Status of Teachers.

Four principal methods have been adopted to improve teachers, and the professional and economic status of teachers, as follows: Certification, pensions, and a minimum salary law, and professional education:

The "uniform high standard" act of 1898 gave the State Board of Education exclusive power to examine and license school teachers. This power was granted originally to school committees. Under the Barnard act, while school committees retained the power to examine and license teachers for schools within their respective towns, provision was made for wider certification by county inspectors and by the Commissioner of Public Schools. The plan for higher certification was not successful. The Trustees of the Normal School, in 1880, after issuing one certificate under the authority given nearly 10 years earlier, regretted that it had been forced to act under the law.

Certification.—Shortly after 1880, however, a recommendation that the power to examine and license teachers be taken from school committees, and that qualifications be standardized by a state system of certification, became an annual feature of the School Reports, rivalled in frequency of repetition only by the

recommendations that school districts be abolished and that expert supervision of schools be required. The law of 1898 was broad in its simplicity of statement, and sweeping in the authority conferred upon the Board of Education, which had power, not only to issue certificates, but to determine the grades of certificates and the qualifications essential. All existing certificates were abolished, and the Board was at liberty to examine all teachers in service, as well as applicants for first certificates. Wise discretion was exercised in administering the new law, so that hardship was avoided. Four grades of certificates were provided by the Board, of which two were distinctly professional. The certificate law permits the Board of Education, and the law is used for this purpose, to raise gradually the standards of teaching in all the public schools of the state, by insisting upon better preparation of candidates for certificates. In 1903 strict enforcement of the certificate law was simplified by the authority given the Commissioner of Public Schools to withhold an amount of state school money equal to the wages paid by any town to a teacher without a state certificate.

The requirements for certification are: First grade—Graduation from an approved college and completion of courses in the history of education, educational psychology, philosophy of education, methodology, school management and school law. Second grade—Graduation from the Rhode Island Normal School or an approved normal school maintaining at least a two years professional course after graduation from a four-year high school. Third grade—Successful examination in elementary school studies, school methods, school management and school law, or presentation of evidence of successful pursuit of these studies. Fourth grade—Elementary school subjects; these certificates are limited to two years and may not be renewed; the holder must qualify at the end of two years for a third grade certificate. Evening school certificates of the third and fourth grade are issued. Temporary or provisional cer-

tificates are issued only to college graduates and teachers who prove successful experience, and are valid only until the next public examination. Special certificates, limiting the holder to specific subjects, are granted on proof of character, proper education, training or experience, and successful teaching experience or proof of ability to teach. All candidates must file written testimonials of good moral character, and the names of at least two responsible persons as references. All must sign an oath or pledge of loyalty to the United States and the State of Rhode Island.

Pensions.—One of Commissioner Ranger's early recommendations was pensions for school teachers. In 1907 legislation provided that any person 60 years old, who for 35 years had been engaged in teaching as his principal occupation, 25 of which, including the 15 immediately preceding retirement, were in the public schools, or such other schools as are supported wholly or in part by state appropriations, might be retired or retire voluntarily on an annual pension equal to one-half his average contractual salary during the last five years before retiring, but in no case could the pensioner draw more than \$500 per year. Administration of the pension law was entrusted to the State Board of Education. After 1909 a teacher in service 35 years need not have reached 60 years of age before retirement. In 1914 provision was made for the retirement on pensions of teachers regularly employed not less than 20 years who become physically or mentally incapacitated, the pension to be a proportionate part of the ordinary pension determined by the ratio of his total years of service to 35 years. The highest pension paid under the law is \$500; the lowest is \$115, and the average is approximately \$345. The total amount of pensions in force is in excess of \$45,000 annually, and the total cost to the state has been \$300,000 in round numbers, since 1907. A notable feature of the Rhode Island teachers' pension law is that the pension system is supported exclusively by the state. No

teacher is compelled, or even asked, to contribute toward his pension. The law is, therefore, distinctly and without alloy a measure for the improvement of the economic status of teachers, who are relieved by its provisions of some part of the burden of saving for old age. At the same time the law serves another purpose; it provides for the retirement, in a manner worthy of the state, of veteran teachers whose usefulness has diminished.

Minimum Salary.—Another of Commissioner Ranger's earliest recommendations—with teachers' pensions one of the 10 recommendations in his report for 1906, which substantially outlined his platform and programme for the improvement of Rhode Island schools—was a teachers' minimum salary law. The recommendation was not essentially new; other Commissioners and the Board of Education had suggested such a solution of the problem occasioned by low salaries. A minimum salary law was adopted in 1909, providing that "the annual salary of a teacher regularly employed in any public school of the state shall not be less than \$400," and that the state should reimburse towns for one-half the expense incurred by meeting the requirements of the new law. The law, though mandatory in form, carries no penalty. Yet there was a quick response on the part of the 21 towns affected. Commenting on the law in 1913, the State Board of Education said: "The fact that the average salary of all teachers in our public schools is \$681* shows that an annual salary of \$400 is too low to command, in general, the services of teachers of average ability. Many defects of public education, without question, are due to low salaries. Nevertheless, the minimum salary law has remedied the worst conditions due to ridiculously low salaries, and was a measure of great importance."

Curiously enough, the minimum salary law had another effect on rural school conditions besides the enrichment of teachers. More than one local school committee, faced with the duty of

*The average salary was \$714.37 in 1915, \$721.91 in 1916, \$736.78 in 1917.

increasing the salaries of teachers, realized the possibility of getting something for their towns for the additional expenditure. Shrewd committee men "reckoned" that the teacher's salary could be increased without raising her wages, and that the increased salary might just as well be earned by requiring the teacher to keep school for a longer period. If, for instance, a teacher earned \$320 for 32 weeks at \$10 per week, the minimum salary law might be met either by raising her wages to \$12.50 or by extending the school year to 40 weeks, at the same rate of wages—the second plan was followed. Under such circumstances it is not difficult to understand that the minimum salary law was a helpful factor in lengthening the school year.

Education for Teachers.—Besides the unsurpassed provision for the education and training of teachers for elementary schools provided by Rhode Island Normal School, other opportunities for educating teachers are provided or assisted by the state, through extension courses at the Normal School, through regular courses for teacher training at Rhode Island State College and Rhode Island School of Design, and through the graduate department of education at Brown University. Teachers' institutes receive state aid, lectures and addresses for teachers' meetings are provided through the department of education, an educational library is maintained for teachers, and educational publications are freely distributed. In 1917 a summer school for teachers was conducted at Rhode Island Normal School.

Extension of Expert Supervision.

Upon the recommendation of the Board of Education in its first report the General Assembly, in 1871, required every town to employ a superintendent of schools. The problem of supervision had made little further progress toward solution 25 years later. In the meantime school committees had been given exclusive power to elect the superintendent, but the towns still

retained effective control of the office through the power to fix salaries. In 1902 school committees were given authority to determine what compensation should be paid the superintendent, and the following year "An Act Providing for the Better Management of Public Schools" (1) authorized the union of towns in which the aggregate number of schools did not exceed 60, for the purpose of hiring a joint superintendent, and the payment by the state of one-half the joint salary, the state's share not to exceed \$750 for each union, and (2) provided for the payment of \$750 per year to any town employing a superintendent at not less than \$1500 a year. No state money was to be paid, however, in any case for supervising less than 40 schools, but this restriction was removed in 1904. Only one union superintendency resulted. In 1912 school committees were authorized to form unions, but no new union resulted. Since 1908 superintendents have been required to hold certificates of qualification issued by the Board of Education. By act of 1913 the law requiring the election of superintendents annually was amended. No legal tenure of office is provided for superintendents, but the law, by establishing no tenure, permits the school committee and superintendent to determine the period of employment by contract.

The Board of Education, in 1913, said:

"Of such vital importance is efficient supervision in school administration that we may not expect wholly satisfactory results until every school in the state has the benefits of the constant oversight and direction of a superintendent of professional or expert qualifications. . . . There remain, as a year ago, 17* of our towns, mostly those having few schools, which are under the supervision of superintendents who devote part of their time to this service. All towns and cities employing superintendents of approved qualifications who give exclusive service to supervision of schools receive state aid for such supervision. Efforts have been made in legislation to encourage towns having few schools to unite for purposes of supervision. . . . Another effort might be made to bring about desirable results by authorizing the Board of Education to effect

*Number reduced to 16 in 1914; to 14 in 1915; to 7 in 1917.

arrangements, on the request of school committees, at an expense to the state for each town not to exceed the amount now allowed a town. Five superintendents could supervise, with efficiency, the schools of the 17 towns remaining. In the want of expert and systematic supervision the children of rural schools suffer an inequality of educational provisions in comparison with children of urban schools. The state is expending annually a large sum in support of school supervision, but the 17 towns to which reference is made receive no share of it. In other words, these towns have thus far neglected to profit by provisions for supervision offered by the state. More than all other teachers, the isolated teacher of a country school needs the visitation of an expert supervisor, who can sympathetically, intelligently and skilfully help her to correct her mistakes and to strengthen all the good work she is now doing. Our school committees, whose members are absorbed in private interests, need the expert superintendent to acquaint them with the condition of their schools as judged by true standards, and to give counsel for the best management of them."

A bill providing for the plan of supervision advocated by the Board failed of passage on the last day of the session of the General Assembly in 1914. Another bill, slightly modifying the original plan, passed the General Assembly in 1915. It provided that, upon the request of the school committee of any town, the State Board of Education may provide supervision of professional grade, at an expense to the state of not exceeding \$750 per town, the town paying not less than \$15 per school toward the superintendent's salary. Two towns applied for supervision in 1915, and were organized as a state superintendency district. Six other towns were similarly organized as three districts in 1917, and one town, in 1917, elected a professional superintendent at a salary of \$1500, under the plan for state aid to the amount of \$750 annually. There remained, in 1917, only seven towns without professional supervision.

Abolition of Districts.

The act of 1884, permitting towns to abolish school districts, was amended in 1894 in such manner as to make the procedure more convenient; essentially the change permitted the vote to

abolish districts to be taken by referendum instead of in town meeting. By 1894 14 town school systems were being administered without districts, as follows: Barrington, Bristol, Burrillville, Cranston, Cumberland, East Providence, Johnston, Lincoln, Newport, North Providence, Pawtucket, Providence, Warren and Woonsocket. It is not merely a coincidence that this list very closely resembles the list of towns supporting high schools at the same period, and that most towns in the list are northern and eastern towns. A list of towns employing full-time superintendents of schools at the same time would be, for the most part, merely a repetition of the list of towns which were operating schools on the town plan and had established high schools. What appears to be a coincidence is simply positive proof that the problem of school improvement in Rhode Island, though calling for several reforms, has been essentially unitary. Several reforms were quite likely to follow speedily any determined effort to improve school conditions. But it is a condition precedent to improvement that the taxable wealth of the town shall be sufficient to permit reform, or that aid shall be furnished from some other source than public taxation of town property. The east and west division of Rhode Island determined by the quality of schools is almost exactly the division determined by wealth and population.

Improvement of rural schools, in the last analysis, is largely a financial question. Comparisons are invidious; but it is ridiculous to talk of town responsibility for schools, while the towns supporting the poorest schools sometimes are assessing themselves for schools more than double the amount per dollar of taxable wealth assessed in more prosperous communities, whose schools are models for excellence. The actual variation in town support, measured by the taxes paid for school support, is four to one in Rhode Island.

There was, to be sure, opposition to the abolition of districts. The constitutionality of the several acts by which the end was

reached was tested in the courts, and the act that abolished districts finally was also tested. An important decision was rendered by the Supreme Court in 1895 (*Town of Johnston*, 19 R. I. 279), in which the court held that registry voters might vote legally on the question of abolishing districts. The decision extended the referendum beyond the taxpayers. Although the amount of taxation was involved in the adjustment of school property rights, the court held that the abolition of school districts was essentially not a question of taxation, but a question of school administration. The decision recognized the interest of the citizen in schools without regard to his liability as a taxpayer.

Central Falls became a city in 1895 without the district system. Jamestown and Little Compton abolished districts in 1899, and South Kingstown and Westerly fell into line in 1902. Thus half the towns in the state were operating schools on the town plan when the Rhode Island Institute of Instruction took up the district question in 1902 and began agitation for complete abolition. In 1903 the General Assembly passed a law that abolished all remaining districts after January 1, 1904. It is significant that the same act permitted unions of towns for the employment of joint superintendents, and provided state aid for the payment of salaries of professional superintendents, and that another act, passed the same day, provided a penalty for the employment of teachers without state certificates.

The abolition of districts was an important progressive measure, but it was not a panacea. As already pointed out, the school problem in rural Rhode Island is largely a financial problem. Change in the form of administration, while helpful, must fall far short of being an adequate remedy; and it did. Moreover, the law abolishing districts was an imperfect and carelessly drafted measure. Such important sections of the school law as those regulating the length of the school year, the number of pupils per teacher and the consolidation of ungraded

with graded schools, were written in the phraseology of district regulations. Whether they had any force as law after January 1, 1904, is a question for moot court or law club. When the statutes were revised in 1909, the commission omitted sections referring to school districts, and the measures already mentioned disappeared altogether from the statute books. The saving grace of intention and interpretation could not be pleaded in favor of a written law which had been deliberately omitted from the General Laws. The law permitting the consolidation of ungraded district schools with graded schools was re-enacted with omission of the word "district" in 1910. The law limiting the number of pupils per teacher has never been revived, and the minimum school year reappeared only in 1914.

Provisions for the Safety and Health of School Children.

Seminaries, colleges, academies and schoolhouses were included in the buildings required, in 1890, to be equipped with fire escapes. The law was amplified in 1908, providing thereafter for windows and doors swinging outward, and for inspection. By act of 1913 school principals, public and private, are required to conduct fire drills. The Commissioner of Public Schools has published rules for fire drills.

Sanitary Standards.—In 1911 the Board of Education was empowered from time to time to "approve proper standards of lighting, heating, ventilating, seating and other sanitary arrangements of school buildings, and proper regulations concerning the same as it may deem necessary for the safety and health of persons who may attend school," and to "communicate the same to the school committee of each city and town and to any committee having charge of the erection, alteration, equipment or furnishing of any school building." The Board's power is merely advisory. Standards, carefully drawn after several years of investigation and study, were adopted by the Board in 1917.

Sight and Hearing Tests.—Every superintendent of schools is required, by act of 1911, to cause “an examination of the sight and hearing of all children of the schools under his supervision to be made at least once a year by teachers or school physicians,” and to make provision for preserving the records of the examinations of school children and for notifying parents of defects.

Medical Inspection.—The same act provided an annual appropriation for medical inspection in schools, to be apportioned by the State Board of Education among the towns providing approved medical inspection, the state paying one-half the town's expenditure up to a limit of \$250 per town. The law permits the school committee in any town to employ inspecting physicians to make examinations at least once each year of pupils, teachers and janitors of schools, public and private. Eighteen towns, including about 85 per cent. of the school population, make provision for regular medical inspection, as follows: Barrington, Bristol, Central Falls, Coventry, East Providence, Jamestown, Johnston, Hopkinton, Newport, North Providence, North Smithfield, Pawtucket, Providence, Warren, Warwick, West Warwick, Westerly and Woonsocket.

Town reports show 63 physicians and 16 nurses engaged in medical inspection, and annual expenditures exceeding \$25,000. More than 75,000 children receive the benefits of medical inspection.

Physical Training.—The General Assembly in 1917, upon the recommendation of the State Board of Education, and urged by petitions presented by organizations interested in child welfare, enacted a law which requires that every child over eight years of age, receiving instruction in public or private schools, shall have an average of 20 minutes instruction in physical education for every school day. The State Board of Education was entrusted with the duty of putting the new law into effect, and, under the direction of the Commissioner of

Public Schools, a Syllabus for Physical Education was prepared by Miss Gertrude Manchester of Rhode Island Normal School. This syllabus, a volume of 120 pages, has been printed and distributed to teachers in public and private schools throughout the state.

Dental Inspection.—An act passed in 1917 requires medical inspectors to report defective teeth and other dental defects needing attention, and provides for notice to be sent to parents. The law also permits school committees to establish public dental clinics, and to provide for the treatment in these clinics of children whose parents neglect after a month's notice to remedy conditions needing attention.

Examination of Children for Employment.—No child may be granted an age and employment certificate until he has been examined by a reputable physician, and has been found to be sound in health and physically fit for employment.

Hazing of students was forbidden by statute in 1909. Towns were authorized, in 1912, to provide open-air schools for delicate children and to furnish for the conduct of "such schools, such medical, food or other supplies as are necessary for the purpose for which such schools are or may be established."

OTHER IMPROVEMENTS.

Travelling Libraries.—Under the administration of the Board of Education, the work of assisting public libraries has been broadened beyond the provision of financial aid in the law of 1875. There were, in 1917, 62 free public libraries in the state, containing nearly 600,000 books and making more than 1,130,000 loans annually. In 1907 the Board of Education was authorized "to establish and maintain a system of travelling libraries within the state, to render aid to libraries which shall establish branch or visiting libraries in schools or places approved by said board, and to render aid to associations which

operate travelling libraries." The act carried an annual appropriation. Four years later the appropriation was doubled, and the Board was authorized "to provide for the visitation and examination of free public libraries and the management of travelling libraries." Travelling libraries made loans totalling 10,627 in 1908, 19,369 in 1909, 25,623 in 1910, 28,284 in 1911, 30,073 in 1912, 31,464 in 1913, 33,717 in 1914, 47,770 in 1915, 52,106 in 1916, and 47,761 in 1917.

There had been no increase in the number of travelling libraries or the number of volumes in them in three years up to 1914, although the circulation increased 5000 volumes. The Board of Education, in its report for 1913, attributed the failure of increase to the fact that "a point in their development" had been reached "where it now takes nearly all available means to replace books, repair libraries and meet the expenses of operation." The board recommended a larger appropriation. The appropriation was increased by \$500 to \$2500 in 1915. The figures for the three years following 1914 show marked gains in the number of volumes and in the circulation of travelling libraries.

Patriotic Instruction.—Without a distinct announcement of its purpose, the state is making a notable effort to teach patriotism in the schools, an undertaking rendered necessary by the large population of foreign birth or foreign parentage, the chief agency for whose assimilation is the public school. The observance of school holidays serves the purpose in an admirable manner. The policy of the state in this respect has changed somewhat in recent years. For the older practice of closing schools has been substituted observance by appropriate school exercises. Arbor Day was the first holiday for school observance, and in connection with it, the Commissioner of Public Schools prepares annually a programme, 60,000 copies of which are distributed in the schools and serve as a guide and help for teachers arranging school programmes. Grand Army Flag

Day, Feb. 12, commemorating as well the birthday of Abraham Lincoln, was the first patriotic holiday observed in similar manner; and May 4, as Rhode Island Independence Day, commemorating the Rhode Island Declaration of Independence, is also an annual day for special observance. School holidays are New Year's, Washington's Birthday, Memorial Day, July 4, Labor Day, Columbus Day, Thanksgiving Day and Christmas. The Commissioner of Public Schools is required by law to provide a uniform salute to the flag, to be used daily in the schools. School committees must supply every schoolhouse with a flag and flagpole. The display of foreign flags, except on special occasions and then only in connection with the American flag, is forbidden.

*Vocational Education.**—The General Assembly, in 1910, directed the Commissioner of Public Schools to make an investigation of the conditions and needs of the state in respect to "industrial education, including agricultural education, and to investigate the practice and progress of industrial and agricultural education in other states, and to make a report thereon, with his recommendations, to the General Assembly." The report was a document of 100 printed pages, covering the subjects thoroughly and in detail. In 1912 the General Assembly authorized state aid in support of industrial education, as follows:

"In case any town shall provide instruction in manual training and household arts in its public schools, with the approval of the State Board of Education, such town shall be entitled to receive as aid from the state a sum not exceeding one-half of the amount expended by said town for the purchase of apparatus necessary for such instruction.

"Any town that shall establish and maintain day or evening courses for vocational industrial education, including instruction in the principles and practice of agriculture and training in the mechanic and other industrial arts, which courses are approved as to equipment, instruction, expenditure, supervision and conditions of attendance by the State Board of

*See R. I. School of Design, *supra*.

Education, shall be entitled to receive aid from the state in support of instruction in such courses to an amount not exceeding one-half of the entire expenditure of the same. The cost of equipment or of buildings or of land or of rent of rooms shall not be included in this reckoning. This section shall not be construed to entitle towns to receive state aid for manual training high schools or other secondary schools maintaining manual training departments, except in so far as such schools include courses properly classed as industrial courses."

An appropriation of \$5000 was made, to carry out the provisions of the act, and this was made an annual appropriation in 1914. Pawtucket, Central Falls, Warwick and Westerly were the earliest towns to take advantage of the law and receive state aid. "The criticism so frequently made," said the Board of Education in 1913, "that the work of the public schools is in no way related to the outside interests of the child cannot be made of the schools in these places. The time appears to be approaching when it will be more and more difficult to justify, in any of our schools, criticism of this sort. With the increased opportunities for choice in studies made possible by the more general introduction of industrial education in the schools, it will be possible to determine with greater certainty just what the individual needs of each child are, and to offer him what will contribute most to his highest development."

The extension of industrial vocational education in Rhode Island has not been rapid. The people seem to have discriminated between vocational education in schools beyond and apart from the public elementary schools, and such education in the public schools. Dr. Ranger has attributed this discrimination to a keen regard for the education common to all. Rhode Island accepted the provisions of the Federal Vocational Education law in 1917, which provided Federal assistance for this sort of education.

Evening Schools.—Public evening schools have been a care of the Board of Education since 1873. A marked gain in the efficiency of these schools followed the passage of the teachers'

certificate law. The raising of school age has taken from the evening schools a considerable proportion of juvenile scholars, emphasizing the mission of these schools among the older youth and the adult population. Disorderly elements have been rigorously excluded, and standards have been established and insisted upon. Special classes for foreigners have been provided, and a better grade of teachers induced to take up the work. The personnel of the teaching force, the morale of the schools, and the dignity and efficiency maintained are splendid. Bristol, Burrillville, Central Falls, Coventry, Cranston, Cumberland, Lincoln, Newport; Pawtucket, Providence, Warren, Westerly, West Warwick, and Woonsocket maintain evening schools. East Providence, Johnston and North Providence make provision for the instruction of those who apply for it, in the evening schools of Providence. In the cities the work of the evening schools includes high school classes. Emphasis is placed upon practical application, and as a rule the evening schools are more closely related to the outside interests of their pupils than are the day schools. In 1917 the State Board of Education condemned a rising practice of charging a registration fee for evening schools, holding that evening schools, like day schools, are under the law "free public schools."

Kindergarten and Montessori.—The public kindergarten—a modification of the Froebel school adapted to American needs—has come to be an adjunct of some city school systems, in spite of the opinion, expressed by the Board of Education in 1895, that the cost was prohibitive. At the Rhode Island Normal School an experiment with the Montessori infant school is being conducted, in charge of Miss Clara Craig, who spent a year in Italy with Madame Montessori. The past decade has witnessed the beginning and rapid extension of school playgrounds, school gardens, vacation schools, school lectures, recreation centres, mothers' clubs and school improvement associations, all contributing to wider use of the schools and

the recognition of the public school as a community social centre.

THE PROGRESS OF IMPROVEMENT.

Returning to 1894, the Board of Education in that year made three principal recommendations: (1) That school districts be abolished, (2) that a state system of examination and certification of teachers be inaugurated, and (3) that expert or professional supervision be extended to cover all sections of the state. Other improvements advocated by the Board were increased school accommodations and supervision of school-house construction; extension of manual training, then already inaugurated in Newport and Providence, and at Sockanosset; improvement in the teaching of drawing; extension of school work among defective classes, and a new School Manual. The Commissioner of Public Schools discussed conditions in rural schools, citing the fact that 64 schools in the state accommodated less than 10 pupils each. Contrary to modern notions of the value of individual instruction which small classes makes possible, the Commissioner characterized these schools as bad schools, because the pupils lacked the incentive of classroom rivalry. Aside from pedagogical reasoning, it is altogether likely that he was right, because the 10-pupil school usually has been a neglected school conducted by an inferior teacher. The Commissioner advocated closing such schools and provision for the transportation of children to larger schools. Together the two reports outlined a comprehensive programme for school improvement.

A revised School Manual was published in 1896. In the same year the city of Providence was brought under the general school law. This was an important change, beyond the administrative reform in the city itself, where the school committee was freed from control by the city council. For the state at large it meant abolition of recognition of two standards for schools, and the rallying of Providence to interest in the general state school

system, of which the city schools were thereafter to be a part. In the same year also, the General Assembly resumed its function as a state school committee, and asked the Board of Education to recommend measures for raising the public schools of the state to a uniform high standard. The act of 1898, following the Board's report, was in title, "An Act to Secure a More Uniform High Standard in the Public Schools of the State," and in its provisions for (a) financial aid to encourage grading of schools, (b) financial aid for high schools, and (c) state certification of teachers, one of the most important in the history of public education in Rhode Island. After the act of 1828 establishing public schools, and the Barnard act reorganizing the system, it ranks with the abolition of tuition, free textbooks, compulsory attendance and the abolition of districts.

The laws (1) of 1900 transferring the taking of the school census from town councils to school committees; (2) of 1901 transferring the duty of electing truant officers from town councils to school committees; (3) of 1902 permitting school committees to determine the compensation to be paid superintendents of schools, and (4) of 1903 directing the Commissioner of Public Schools to withhold state school money for violation of the law requiring teachers to hold state certificates, accomplished administrative reforms, and were corrective of earlier legislation. Compulsory school age was raised to 13 years in 1902, and the period of required attendance was increased from 80 days to the full school year for all children under 14, and for children 14 years old not lawfully employed or engaged in business. In 1903 "An Act Providing for the Better Management of Public Schools" provided (1) for the abolition of school districts, (2) for joint superintendencies, and (3) for financial aid for the payment of salaries of full-time superintendents of schools.

Commissioner Stockwell resigned in 1905, after 30 years of service, a record equal to the combined service of all his prede-

cessors. His best effort while in office had been his fight for improved attendance, in which he led the state to clear understanding of the modern theory of universal education, to be enforced by compulsory school attendance. Other important reforms accomplished during his administration were the introduction of free textbooks and the abolition of districts, the latter the last major reform needed to round out the Barnard act. His successor in office was Dr. Walter E. Ranger, the present Commissioner, who was called to Rhode Island from the State Superintendency in Vermont. Thus after 60 years, when it had completed in every detail the programme for school reform outlined by Henry Barnard, Rhode Island repeated its action of 1843, by seeking outside the state an expert public educator, trained under and familiar with several state school systems. The election of Dr. Ranger emphasized the function of the Commissioner of Public Schools as an expert and professional adviser.

A SECOND SURVEY—THE RANGER PLATFORM.

Commissioner Ranger made no recommendations in his earliest annual report, declaring that he must first make himself thoroughly familiar with school conditions in Rhode Island. In his second report, in 1906, he recommended: *

1. Pensions for teachers.
2. State aid for travelling libraries.
3. A state school and home for the feeble-minded.
4. State certification of superintendents, as of teachers.
5. A minimum salary law for teachers.
6. A more practical equalization of educational opportunities, to be secured by extension of high school education for all the youth of the state, and by skilful supervision.

*The order assigned by Dr. Ranger was 1, 10, 3, 7, 5, 4, 9, 6, 8, 2. In the text the order is rearranged to conform to the order of accomplishment. The figures in the paragraph below refer back to the figures in the platform.

7. Industrial and trade schools.
8. Improved school sanitation, and sanitary standards.
9. Reasonable tenure for teachers and superintendents.
10. A state summer school for teachers.

In 1907 the General Assembly enacted (1) a teachers' pension law, provided an annual appropriation for (2) travelling libraries, and authorized the establishment of an (3) institution for the feeble-minded, thus undertaking immediately three of the reforms suggested by the Commissioner. State (4) certification of superintendents of schools was required in 1908, and in 1909 a (5) teachers' minimum salary law was enacted. In the year last named financial aid for high schools was increased, and the (6) provision of high schools or high school opportunities was made compulsory. The General Assembly, in 1910, ordered the Commissioner of Public Schools to make a special investigation and report on the state's need of industrial, vocational and agricultural education, and in 1912 provided an appropriation for the encouragement and aid of towns providing (7) vocational and industrial education.* The same year the Board of Education was authorized to approve proper (8) standards of heating, lighting, ventilating, seating and other sanitary arrangements of schools, and plans for the construction of sanitary school buildings, and state aid for medical inspection was provided. One year (9) tenure for superintendents was extended in 1913 by omission from the law of the provision for annual election. Legally the teacher's tenure is still one year, but the narrow legal view is far away from the customary tenure of teachers. In some towns appointments are designated "probationary," "temporary" and "permanent." In some salaries are graded according to length of service, and the teacher begins her work with the expectation of continuance. Custom is building a tenure resembling "tenancy from year to

*Textile school at School of Design, 1913.

year," which simply goes on, after a period of satisfactory service, practically during "good behavior." No (10) permanent summer school for teachers has been established, but the Rhode Island Normal School has broadened its advanced and extension courses, and in 1912, the Board of Education was authorized to establish post-graduate courses for teacher training in Brown University. In 1917, a summer school was conducted at Rhode Island Normal School.

In 1910 the General Assembly made provision for the appointment of an Assistant Commissioner of Public Schools, to serve under the direction of the Commissioner. William Andrew was appointed. His successors in office have been Valentine Almy, 1912-1917, and Emerson L. Adams, 1917. The employment of children under 13 was forbidden in 1906, and under 14 after 1906. School age was raised to 14 years in 1909, and in 1911 employment of children under 16 unable to read at sight and write simple English sentences legibly was forbidden. The General Assembly in 1913 provided an annual appropriation, to be apportioned to aiding towns unable, at the average rate of taxation throughout the state, to maintain schools of high standard. An untold and incalculable improvement of rural school conditions has been brought about and will be furthered through use of this appropriation, the first state school appropriation in which none but rural schools have shared. One of the improvements made possible through it is the minimum school year of 36 weeks, made law in 1914. The General Assembly in 1915 provided financial aid through which the system of professional school supervision may be spread into every town in the state.

A REVIEW BY THE BOARD OF EDUCATION.

"A review of the past record of Rhode Island in education," said the Board of Education in a recent report, "gives evidence of progress without revolution or radical innovations, but reveals steady advancement through a natural development,

energized by a progressive public spirit. Our progress has been marked by a conservation of past gains as well as by new achievements. Improvement and expansion seem to have come gradually and steadily, in response to the demands of an enlightened public opinion, and, in general, advances in educational law and practice have become permanently established in public confidence and support. For these reasons, our educational system is the product of our social and economic experience and a vital part of the civic organization of the state.

"The protection of life and property is not the sole purpose of government. One of its chief functions is to promote the common welfare. An intelligent citizenship is the basis of public weal. Without education free government cannot endure. For these reasons, the proper education of the young becomes the most important obligation of the people and the highest function of the people's government. No other public interest deserves the serious attention of the General Assembly more than that of public education. Our educational organization has been established, developed, and is governed by its law, and upon its wise and ready action depend future prosperity and progress. The General Assembly has no higher duty assigned it by the Constitution of the state, no greater opportunity to remedy social evils and improve civic conditions, than may be found in its responsibility for public schools.

"The educational importance of our public schools is recognized when we appreciate the fact that nearly 90,000 pupils are instructed in them by more than 2500 teachers. From an economic point of view, our educational organization assumes magnitude when we realize that it was maintained during the year under review at an expense of more than \$3,000,000. In other words, in addition to \$10,000,000 invested in school property, the State of Rhode Island yearly expends for public education the equivalent of a four per cent. income of an investment of \$75,000,000. This may be regarded as an economic measure, or value, of the public responsibility with which our public educational institutions are endowed.

"Not long ago the Russell Sage Foundation published the results of a comparative study of the public school systems of the 48 states. It is instructive to observe what rank we hold in certain elements of public education. In the survey Rhode Island ranked as 11th in 10 educational features, selected as tests of quantity and efficiency. She was given a place in the first group of states on five tests, in the second group on three tests, and in the third and fourth groups on one test each. Among all the states, Rhode Island was first in the average length of school year (193 days), fourth in the average number of school days per child (116 days), fifth in value of school property relative to school population (\$78 per child), fifth in

high school attendance (84 to 1000 in elementary schools), and ninth in teachers' salaries, the average annual salary being given at \$607, which was actually \$644 for the year taken for the survey, and which has now risen above \$670. Only three states east of the Rocky Mountains pay higher salaries than Rhode Island. They are New York, Massachusetts and New Jersey.

"The high relative position of Rhode Island's educational organization among American school systems could not have been attained without the achievement of a long series of legislative acts, prompted by true foresight and sound judgment, and supplemented by genuine vigilance and persistent endeavor in educational execution. With few mistakes in legislation or administration, our educational record has been one of steady advancement and real accomplishments. In comparison with other states, our state has distinct advantages in its great comparative wealth, in its economic situation of a concentrated population, and in certain definite gains and experience. It may attain a higher relative rank, if it does not neglect its very means and opportunities of advancement. Persistent effort for improvement, both in legislation and administration, cannot fail not only to maintain but to raise the relative position of our educational system."

THE CHRONOLOGY OF IMPROVEMENT— A SUMMARY.

- 1894 Factory inspection.
 Model and training school for Normal School.
- 1895 Providence and Brown University co-operate to train
 high school teachers.
- 1896 General Assembly asks State Board to recommend
 measures to promote a uniform high standard in
 schools.
- 1898 New Normal School building opened.
 State appropriation to aid high schools.
 State appropriation to encourage grading of schools.
 State certification of teachers.
- 1900 School census under supervision of school committees.
 School committees to provide flags for schoolhouses.
- 1901 School committees to elect truant officers.

- 1902 Compulsory school age raised to 13 years.
School committees to fix compensation of superintendents.
- 1903 State aid for full-time superintendencies.
Joint superintendencies authorized.
- 1904 All remaining school districts abolished.
School committees may unite to elect joint superintendent.
- 1905 Minimum employment age 13 years.
Act abolishing districts perfected.
- 1906 Procedure for condemning property for schools perfected.
Commissioner Ranger reports plan for school improvement.
- 1907 Minimum employment age, 14 years.
State home and school for feeble-minded.
Teachers' pensions.
State aid for travelling libraries.
- 1908 Instruction for adult blind in their homes.
State certification for superintendents of schools.
- 1909 Towns required to provide high school education.
Compulsory school age 14 years.
Teachers' minimum salary law.
- 1910 Commissioner to investigate industrial vocational education.
- 1911 State aid for medical inspection in public and private schools.
Board of Education to approve standards for sanitation.
- 1912 Post-graduate department of education in Brown University.
State aid for industrial vocational education.
- 1913 Textile school at School of Design.
Special assistance for rural schools.

- 1914 Minimum school year 36 weeks.
State inspector of high schools appointed. Standards adopted.
- 1915 Provision for expert supervision for all towns.
School committees have power to consolidate schools and provide transportation. (The law previously limited the power to schools of less than 12 in average attendance.)
- 1916 Age and employment certificate law perfected.
- 1917 Children must attend school to 16 years unless employed.
Physical education.
Dental inspection.
School committees control repair and equipment of school buildings.
Summer session at Normal School.
Rhode Island accepted Federal aid for vocational education.

CHAPTER VII.

PUBLIC SCHOOL FINANCE.

Public school finance may mean either financing of public schools, or public financing of schools, whether the latter are public or private institutions. In this chapter the term is used in both senses—to cover state support of education—for the state is as truly supporting education when it grants exemption from taxes or other privileges as when it appropriates money.

With the development of civic consciousness and recognition that provision for public education is one of the most important functions, if not the most essential function, of the state, the burden of supporting schools has rested almost universally on general taxation. In Rhode Island school revenues derived from all other sources are less than one per centum of total expenditures of public school money, in contrast with the earlier practice, which supplemented revenue derived from special sources by general taxation, only when the former proved insufficient. Except in 1835, until 1840 the public school money distributed by the state was derived from special sources; from 1840 to 1859 state school money was in large part derived from special sources.

This chapter will deal first with exemption from taxation as a method of aiding schools; secondly, with special sources of school revenue, including auction and lottery duties, the United States deposit fund, registry and poll taxes, dog licenses, tuition and fines, and, thirdly, of the manner in which school money is appropriated, apportioned, distributed and expended. Incidentally the correlations between school finance and school policy will be pointed out.

TAX EXEMPTION.

Brown University.—The first school legislation enacted by the colonial General Assembly was the charter granted in 1764 to the “trustees and fellows of the college or university in the English Colony of Rhode Island and Providence Plantations,” named Rhode Island College first, and subsequently Brown University. The charter provided that “the college estate, the estates, persons and families of the president and professors, for the time being, lying and being within this colony, with the persons of the tutors and students, during their residence at the college, shall be freed and exempt from all taxes,” jury service and military service except in case of invasion. In 1863 the university consented to an amendment to its charter limiting the exemption of the estates, persons and families of the president and professors to \$10,000 in each instance. The charter further provided that “this charter shall be construed, reputed and adjudged in all things most favorable in the benefit, behoof and for the best benefit and behoof of the said trustees and fellows and their successors, so as most effectually to answer the valuable ends of this most useful institution.” The state, through its courts, has given full effect to the exemption, by interpreting it in such manner as to include not only the land and buildings actually used as part of the university plant, but also property held by way of investment—even real estate in the business centre of Providence rented for general business purposes. *Brown University vs. Granger*, 19 R. I. 704. From assessments for street improvements under the betterment act, however, the university was held to be not exempt. *In the matter of College street*, 8 R. I. 474. The endowments of the university exceed \$4,500,000, all of which, with the land and buildings, are exempt. The value of the exemption at current rates of taxation, exceeds \$80,000 annually.

General Exemption.—At the February session of the General Assembly in 1769 a general law was passed exempting from taxation “all lands and other real estate granted or purchased for religious uses or for the uses of schools within this colony.” In the Digests of 1798 and 1822 the language of the statute was practically similar: “All estates, real or personal, granted or appropriated to religious uses or to the use of schools and seminaries of learning within this state . . . are exempted from taxation.” In 1829 tax exemption was limited to buildings and land actually occupied by buildings owned by incorporated bodies, thus: “So much property as now is or hereafter may be invested in houses for public religious worship, or in houses for schools, academies and colleges established or owned by any town, company or corporation, and the land on which they stand, together with such other property as now is or hereafter may be specially exempted by a charter granted by the General Assembly . . . are hereby exempted from taxation.” Thus the law appeared in the revision of 1844, and so it remained until 1855.

In the general tax law of 1855 tax exemption of land was limited to three acres, but in May of the same year the limitation was removed, and it was enacted that “The land occupied by the buildings for schools, academies and colleges shall be exempt from taxation so long as the same shall be occupied and used for educational purposes, and the limitation of the land so occupied and used to a quantity not exceeding three acres, in the 18th section of the act to which this is an amendment, is hereby repealed: Provided, that this act shall not be so construed as to exempt from taxation any property that is leased to or occupied by persons who pay rent therefor for the use or support of any school, academy or college.” The same act exempted a trust fund under the will of Nicholas Campbell “so long as the interest of the same shall be applied to the education of indigent children” in Warren. In 1856 a special act ex-

empted a legacy under the will of Joseph Smith of Warren, the income of which was devoted to paying teachers' salaries. Subsequently all special endowments of similar sort were exempted by general law.

In 1857 exemption was made even more liberal by striking out the proviso in the act of 1855. Property exempt included "houses for schools, academies and colleges and all the appurtenances thereto belonging, owned by any town, company or corporation, and the land used in connection therewith, so far as the same is held, occupied and used for, and the rent and profits thereof applied to . . . educational purposes; almshouses and public libraries . . . except that almshouse estates belonging to the town shall be subject to taxation for school purposes in the school districts in which they are situated."

The Acts of 1855.—Had the close restriction of exemption in the first act of 1855 been a separate and isolated enactment, instead of one feature of a general law regulating taxation, in which it was the 18th section—a law that the Providence Journal in its summary of legislation at the close of the session described as mainly a codification of existing law—one need scarcely hesitate to attribute it, as does Stokes, to the country-wide bitter sectarian controversy then raging, with the distinctly public school, the quasi-public school of the incorporated church society partly supported by public school money, and the Catholic parochial schools, in some states claimants for public school money, constituting a major issue. Though the connection, in the printed record, between legislation and contemporaneous religious and political conflict is not clear, one cannot ignore the opening of two Catholic schools in 1851 and another in 1855; the withdrawal of Catholic children from the public schools in 1852 and 1853, with its marked effect on attendance records; the compulsory attendance measures that failed of passage by the General Assembly in 1853; the charge

of the Providence Journal in 1853 that the Democratic party planned to divide the public school money betwixt public and parochial schools; the voluminous discussion of the sectarian school question reprinted at large in the School Reports in 1853 and 1854; the measure conferring visitorial and inquisitorial powers with reference to private schools upon the Commissioner of Public Schools, which was indefinitely postponed by the House of Representatives in 1855; the alliance of the dominant Whig party with the American or Know Nothing party in 1854, and the triumph of the Know Nothings in Rhode Island in 1855, as elements in the social environment likely to affect public action. The first law of 1855 limited the tax exemptions of all private schools; the reaction from Know Nothingism to principles of more liberal democracy was assisted by the rallying of friends of education, and the critical conflict for and against exemption of parochial schools was postponed by the legislation of May, 1855, and 1857 for nearly a generation.

Exemption Becomes a Religious Question.—A parochial school was opened in Woonsocket in 1860, an academy and a school in Providence in 1867, and four academies in 1872. In 1870 exemption of property held for religious purposes was limited to \$20,000. In 1875 the subject of tax exemption was investigated by a committee of the General Assembly, which held four public hearings. For exemption appeared, among others, Bishop Hendricken of the Roman Catholic diocese of Providence, Bishop Clarke of the Episcopal diocese of Rhode Island, and President Robinson of Brown University. Strong opposition to exemption of any sort was voiced, and the committee, which was hostile to exemption, reported a compromise recommendation exempting buildings, but no land. The General Assembly rejected the recommendation, but limited the exemption of schools to *free public schools*, and of churches to buildings and the land surrounding the same to the extent of not exceeding one acre. The law follows:

"The following property, and no other, shall be exempt from taxation: Buildings for free public schools, buildings for religious worship and the land on which they stand and immediately surrounding the same to an extent not exceeding one acre, so far as said buildings and lands are occupied and used exclusively for religious or educational purposes; . . . the property, real and personal, held for or by any incorporated library society, or any free public library or any free public library society, so far as the said property shall be held exclusively for library purposes; . . . any fund given or held for the purpose of public education. . . ." Almshouses were exempted as in the earlier acts, and the tribal lands of the Narragansett Indians were exempt; and with them land held in fee by members of the tribe were exempt from taxation for school purposes.

What was the meaning of "*free public school*" ? The Supreme Court, in 1878, held that "*free public schools*", exempted from taxation, meant only the schools which "are established, maintained and regulated under the statute laws of the state." Hence realty held by a religious corporation and used by ecclesiastics to furnish gratuitous instruction in parochial schools, was not relieved from taxation. *St. Joseph's Church vs. Assessors*, 12 R. I. 19. In 1883 the court held that a building used for religious purposes is exempt from taxation, although used for educational purposes, so long as the use is merely incidental or occasional, or so long as the use, if habitual, is purely permissive and voluntary and does not interfere with the use for religious purposes, there being no alienation of the building in whole or in part for educational uses, as, for example, by lease. *St. Mary's Church vs. Tripp*, 14 R. I. 307.

General Exemption Restored.—In 1894 a general law exempted parochial and private schools not conducted for profit, and the land surrounding them to an extent not exceeding one acre, so far as the same is used exclusively for educational purposes. There were at that time 27 schools and academies in the state conducted and maintained under Catholic Church auspices.

The educational exemptions under the present law are these:

“Buildings for free public schools; buildings for religious worship and the land upon which they stand and immediately surrounding the same, so far as said buildings and land are occupied and used exclusively for religious or educational purposes,* the buildings and personal estate owned by any corporation used for a school, academy or seminary of learning, and the land upon which said buildings stand and immediately surrounding the same to an extent not exceeding one acre, so far as the same is used exclusively for educational purposes, but no property or estate whatever shall hereafter be exempt from taxation in any case where any part of the income or profits thereof or of the business carried on thereon is divided among its owners or stockholders; . . . the property, real and personal, held for or by any incorporated library, society, or any free public library or any free public library society, so far as said property shall be held exclusively for library purposes; . . . and any fund given or held for the purpose of public education.”

The range of the variation of tax exemption of property held and used for school purposes may be summarized as follows:

Land and other real estate, 1769 to 1798.

All estates, real and personal, 1798 to 1829.

Buildings and land actually occupied by them, 1829 to 1855.

Buildings and land not exceeding three acres, 1855.

Buildings and land actually occupied, but no land held as an investment, 1855 to 1857.

Buildings and land occupied or yielding an income devoted exclusively to education, 1857 to 1876.

No exemption save for free public schools, 1876 to 1894.

Buildings and land occupied by them, not exceeding one acre, of schools not conducted for profit, 1894——.

Against the reduction of tax revenue which a municipality incurs through exempting schools from taxation may be set the calculable gain realized through the assumption by private institutions of the expense of educating the municipality's children, and the incalculable gain arising from an increased number of educational institutions and educational agencies.

*A building used as a dormitory for teachers is not exempt. *In re City of Pawtucket*, 24 R. I. 86.

It is scarcely beyond the province of a history of public education to point out also that the exemption and truancy laws of the state effectually place parochial and private schools, in essential matters, under supervision of state and municipal school officers. On penalty of forfeiting tax exemption, a by no means inconsiderable item in school budgets, these schools are open to visit and inspection by state and city or town school officers. Attendance at them is accepted in lieu of attendance at free public schools only when courses of study and standards of instruction are approved by local school committees as substantially equivalent to public school standards.

AUCTION DUTIES AND LOTTERIES.

The public school act of 1828 set apart for school support all money paid into the general treasury by managers of lotteries or their agents, and by auctioneers for duties accruing to the state. Out of the revenue thus segregated, \$10,000 annually was to be apportioned for distribution to aid free public schools in the several towns, and the surplus, if any, was to be accumulated as a permanent school fund. The history of the latter in detail is told in another chapter.

Auction Duties.—Auction duties continued to be a part of school revenue until 1845, when the Barnard act omitted them. Nevertheless, auction duties were included in the estimate of misapplication of the permanent school fund made by the committee of investigation in 1851, and auction duties were covered into the permanent school fund by state treasurers from 1852 to 1857, although there was, from 1845 to 1857, no law requiring this disposition of them. The Revised Statutes of 1857 made auction duties thereafter the principal source of increase of the permanent school fund. The annual revenue varies from year to year, and averages approximately \$900 annually.

Lotteries Forbidden and Revived.—The General Assembly, in 1732–33, resolved that “whereas, there have been set up within

this government certain unlawful games called lotteries, whereby unwary people have been led into foolish expense of money, which may tend to the great hurt of this government if not timely prevented, for remedy thereof," no lottery after April 30, 1733, shall be drawn. Without repealing its earlier resolution, the General Assembly in 1744 authorized a lottery of £15,000 to build a bridge over the "*Woboset* river" in Providence, thus opening a century in which lotteries were a most important method of funding public, quasi-public and even private undertakings. Bridges, roads, streets, churches, courthouses and schools were built from the proceeds of lotteries; debtors and unfortunate adventurers were relieved; new business enterprises were capitalized; educational institutions were encouraged, and the state itself derived an income, first from profit-sharing in lotteries, then from taxation of lotteries, and finally from outright sale of franchises to conduct lotteries. The story of Rhode Island lotteries has been told by the late John H. Stiness, some time Chief Justice of the Supreme Court of Rhode Island, in "*A Century of Lotteries in Rhode Island.*" The discussion here is confined to educational interests, and in that respect is somewhat more detailed.

Lotteries for Education.—The first lottery for an educational purpose was granted in 1759, and regranted in 1760, to aid in replacing a library destroyed by fire in the Colony House at Providence in 1758, with the condition that the library thereafter should be accessible to members of the General Assembly.

Other lotteries for educational purposes were granted as follows:

1767. To complete the parsonage of the Baptist Church at Warren, because "Dr. Manning hath now under his care several pupils to be educated in the liberal arts, who cannot be accommodated in the said house in its present condition." To the Acts and Resolves of the General Assembly we are indebted for this glimpse of the preparatory school for Rhode Island College, afterward located at Providence and called the University

Grammar School, which Dr. Manning established preliminary to the opening of the college.

1774. To the inhabitants of East Greenwich, to raise money to build a schoolhouse in the town. In 1780 the amount of money to be raised was increased, in order to provide for two schoolhouses.

1774. To the committee of the "Baptist or Antipaedobaptist Society," to build a meeting house "for the worship of Almighty God and holding the public commencements in." Rhode Island College had been removed to Providence. Dr. Manning, its first President, had become pastor of the First Baptist Church, thus early dedicated to use with the university.

1795. To 36 citizens of Newport, as trustees, to rebuild Long Wharf, build a hotel, and apply the rents and profits to the maintenance of a public school for the children of Newport. Simeon Potter of Swansea thereafter conveyed to the trustees his house and two lots of land on Easton's Point for a public school. The school was opened in 1814 for poor children, and continued until merged into the free school system. The Long Wharf Association has built from its profits two public schools for Newport.

1796. To Rhode Island College, "for cogent reasons assigned," to raise not exceeding \$25,000 for use of the college. In connection with this lottery, President Jonathan Maxcy issued a special appeal to the friends of the college and patrons of literature as follows: "The committee for directing the management of Rhode Island College lottery, having received information that a larger number of tickets has been returned than was expected, and not having obtained information respecting the sale of many sent abroad, and wishing to secure the laudable object of the lottery in a more ample manner than present circumstances authorize, have suspended the drawing for a short time and adopted such measures for the sale of tickets as they judge will be effectual and enable them speedily and principally to accomplish the business of the lottery. The friends of the college and patrons of literature are requested to favor the corporation with their friendly assistance on this occasion."

1797. To aid Bristol Academy.

1801. To build an academy at South Kingstown.

1803. To aid Washington Academy.

1803. To aid Warren Academy.

1804. To build a schoolhouse and meeting house near Cory pond, East Greenwich.

1804. To build a schoolhouse and meeting house at Charlestown.

1805. To finish a meeting house and schoolhouse at Hopkinton City.

1805. To aid Frenchtown Seminary.

1805. To build a schoolhouse at Four Corners, North Kingstown.

1806. To raise \$3000 for Redwood Library, Newport.

1808. To aid an academy in North Providence on Smithfield pike.

1808. To the Smithfield Academy Society.

1810. To Smithfield Academy.

1811. To Brown University, to build a house for the steward and promote various objects of the institution.

1812. To the Greene Academy in Smithfield.

In 1797 counterfeiting lottery tickets was made a crime rendering the offender "liable to suffer pains of death, without benefit of clergy, with confiscation of all and singular the real and personal estate of the offender" for use of the state. In 1806 a law forbade lotteries not authorized by the General Assembly, but this law, intended to bar foreign lotteries, was repealed at a later session in the same year. The General Assembly received a protest against lotteries in 1813. Venders of foreign lottery tickets were required to take out licenses, at \$100 per annum, by act of 1816, and in 1822 the General Assembly forbade private lotteries put forth without its consent. After a lull of five years, beginning in 1812, the following lotteries for educational purposes were granted:

1817. To Scituate and Foster Academy.

1823. To the inhabitants of Old Warwick, to erect houses of worship and for the education of youth.

1825. To Redwood Library, Newport, increasing the amount to be raised under the grant of 1806.

1825. To Newport, for the support of public schools.

1825. To build a schoolhouse in Richmond.

1829. To James Stevens, to aid in publishing a map of the state.

1830. To the Rhode Island Historical Society.

1830. To aid the Providence Bar Library. This library was afterward taken over by the state, and formed a nucleus for the present Rhode Island Law Library.

1837. To the Rhode Island Historical Society, conditional upon payment of \$4000 to the school fund. This grant was cancelled subsequently.

Lotteries for Revenue.—The colony derived its earliest income from a lottery from the profits of a grant to Joseph Fox in 1748–9 which yielded £406 14s. 8d. The ordinary form of early franchise reserved to the colony the profits in excess of a specified amount. In 1760 special court procedure was authorized to aid proprietors of lotteries in enforcing collections. The lottery legislation included several acts calling upon grantees to render accounts, close their accounts and pay over profits, and appointing committees to investigate the conduct of particular lotteries. This general statement applies with equal force to educational and non-educational lotteries. Among the educational lotteries that were investigated were those granted to Smithfield Academy in 1810 and to Scituate and Foster Academy in 1817. Other entries on the records are sufficient to warrant suspicion that petitions for charters for academies, in some instances, were merely preliminary to petitions to be filed subsequently for lottery franchises, and that the seemingly quickened interest in higher education in several sections of the state was stimulated by and was a cloak for a deeper interest in legalized gambling. The foregoing statement is made without any intention of imputing base motives to the many sincere friends of education who made use of lotteries as the easiest way to secure financial assistance for their projects.

A State Monopoly.—From profit-sharing the state changed its policy to taxing lotteries upon the gross amount of sales of tickets. In 1830 the lottery tax was raised from one to ten per centum. This legislation had the effect of banishing from the field of competition all save professional lottery dealers; all grants after 1830 were conditioned upon the payment of specific amounts into the state treasury. These lotteries were designated School Fund Lotteries, because they were granted for

the purpose of raising school money, and because their proceeds, under the school act of 1828, accrued to the school fund. The state itself thus practically monopolized the lottery business. Lotteries were drawn by state officers in state offices—to guaranty fair dealing for the purchasers of tickets. Three concessionaires were found in 1831, two each in 1832 and 1833, at \$10,000 each. A lottery granted in 1834 for \$10,000 was not taken by the dealer, but in 1835 a lottery to continue four years and yield \$10,000 per annum was granted, and in 1839 renewed for five years at \$9000 per annum. The movement of a century thus had reached its climax—and also its culmination.

Moral Aspects.—Readers who experience difficulty in viewing the history of lotteries and education in Rhode Island without the prejudice which twentieth century standards of morality inevitably arouse, should consider the extent to which morality is relative and moral questions are ultimately social questions. Rhode Island was not precociously, or conspicuously, or notoriously bad; the state was the *fourth* to abolish lotteries. In the eighteenth and nineteenth centuries lotteries were sanctioned by church and press, while to the names of two early Presidents of Brown University already mentioned might be added those of Moses Brown, Stephen Hopkins and others, some of them the most influential and prominent Rhode Islanders of the period, as participants in the management of lotteries conducted for the many meritorious purposes disclosed in the grants—educational, religious, and for public improvement. To the masses speculation in lottery tickets was preferable to paying taxes. There were, however, reformers who realized the loathsome rottenness of the system and who strove to combat it. Opposed to the reformers were the professional dealers, the friends of projects benefiting by lotteries, and finally sincere supporters of the public school system, who feared that the abolition of lotteries and the loss of revenue therefrom might endanger the schools.

At various times the question of abolishing lotteries was presented to the General Assembly, and from time to time legislation intended to correct incidental evils was enacted. In May, 1834, Elisha R. Potter, father of Commissioner Elisha R. Potter, moved in the General Assembly that a committee be appointed to take into consideration the prevailing lottery system and to ascertain what had been done on the subject in other states, with a view to the adoption of some measures putting an end to the sale of lottery tickets. He declared that the purchase of lottery tickets was a species of gambling, and that, unwilling as he was to submit to a land tax, yet he would pay his proportion of a land tax to supply the funds raised by the lottery system, rather than have this system continued. The committee was appointed, and reported in June, 1834, favorable to abolition of lotteries, with a resolution commanding the Attorney General to draft a suitable act. The report was laid on the table. On the same day a bill to grant a lottery was reported, and likewise laid on the table, but at a later date the lottery was granted.*

In the constitutional convention of 1842 a proposition to abolish lotteries was debated. There the most valiant defender of the system was Wilkins Updike, who in 1843, made the speech and presented the resolution that resulted in the calling of Henry Barnard to Rhode Island. His plea was for the support of schools. But the financial necessities of the state had been relieved since 1834, and the income of the United States deposit fund was already furnishing a splendid endowment for the public school system. The convention was impressed by the exposure of the evils of lotteries, and submitted to the people a constitution that forbade future lottery grants. The General Assembly in 1844 adopted supplementary legislation, forbidding the sale of lottery tickets.

*The General Assembly, in 1840, condemned lotteries.

Besides the lotteries granted for specific educational purposes lotteries had yielded from 1828 to 1839 an annual income for the support of schools averaging \$10,000, and enough in excess thereof, with the receipts from 1839 to 1844, to insure a permanent school fund of over \$100,000. In large part, however, the money so easily acquired was diverted from the permanent school fund and applied to other purposes of the state.

THE UNITED STATES DEPOSIT FUND.

The Federal tariff law of 1833, a compromise measure, produced a revenue far in excess of current needs of the Federal Government. After the national debt had been paid off, Congress, by act of June, 1836, voted to distribute the treasury surplus over \$5,000,000 to the several states as loans, to be returned to the treasury of the United States upon demand. Three installments were distributed.

Perception of An Opportunity.—Forecasting the approaching session of the General Assembly, the Morning Courier, of which William G. Larned was publisher, suggested in an editorial on October 25, 1836, that the income of the deposit money should be applied to the support of public schools. The editor estimated the state's share in the public money at \$272,000, "which if judiciously invested, will produce at least \$16,000 annually, which added to the school fund, would in a few years produce an income sufficient to maintain free schools in every town in the state during the whole year." He advocated the appointment of a commission to invest the fund, "who should be judicious business men," and continued: "These hints are thrown out in the hope that they may meet the eye of some of the members of the Assembly, that the subject may be thought of preparatory to its consideration next week. We do not mean to be understood as speaking in the language of dictation, but only to call to the reflection of the members a subject upon which they will be called to act."

The General Assembly, at the October session, 1836, authorized the General Treasurer to receive Rhode Island's allotment of the public money. In the House of Representatives Thomas Wilson Dorr, representing Providence, a member of the committee on education—the first committee on education of which there is mention in the Schedules—presented a resolution providing that the income from the deposit fund should be applied exclusively to the support of public schools. This, with another resolution, presented by George Curtis of Providence, directing that the public money be deposited in the incorporated banks of the state at not less than five per cent. interest, were referred to a special committee. Both resolutions were reported favorably, but there was opposition to both in the House. The test vote came upon an amendment offered as a substitute for both resolutions, providing for the division of the public money amongst the several towns. The amendment was defeated 35 to 29, and the Curtis-Dorr resolutions were adopted unanimously.

Rhode Island's share in the surplus revenue amounted to \$382,335.30. The first two installments, \$127,445.10 each, were deposited in state banks, and of the third installment \$127,445.03 was deposited, leaving a balance of seven cents in the treasury. Though subsequent reports of the commissioners entrusted with the duty of investing the fund named \$382,335.30 as the total, the first account of a state treasurer with the fund, that of Stephen Cahoone in 1844, carried the fund as \$382,335.23, an error due probably to neglect of the seven-cent balance. The error was repeated in later accounts, and was not corrected until 1858.

A Financial Problem.—Banks found the state account not altogether profitable when carried as a deposit at five per cent. interest. To provide for reinvestment of money returned by the banks, the commission was authorized in 1839 to loan to towns money from the fund to be used exclusively for educa-

tional purposes, or to invest it in the capital stock of banks. Loans to towns were limited to the town's share in the fund as determined by the ratio of apportionment of school money. In 1841 the law was further modified to permit loans to towns for any purpose, on bonds yielding five per cent. interest and maturing in not more than five years, or upon thirty days notice on the call of the state treasurer. Subsequently, however, a return to the law of 1839 was made. Thus the general policy of investing the fund at five per cent. interest was maintained, for bank stocks as a rule paid better than five per cent. dividends.

The State Borrows.—In 1840, however, the state inaugurated a somewhat different policy, although it still recognized its obligation to the Federal Government as a merely temporary custodian of the deposit fund. In January, 1840, the General Treasurer was authorized to borrow \$35,000 from the deposit fund, to pay the state's debt to the Globe Bank, the act stipulating that the loan should be repaid by the state with interest at five per cent. For this purpose \$29,526.49 was withdrawn. In June, 1842, the commissioners were directed to withdraw \$50,000 from the banks and pay it into the treasury for use of the state, "to be refunded as soon as may be, with interest at five per cent." In October of the same year a further withdrawal of \$32,000 was authorized, but only \$28,192.72 was actually taken, the balance of the \$32,000 being made up by \$3807.28 received from the Federal Government as the state's share in the proceeds of sales of public lands. In January, 1843, two acts authorized the further withdrawal of \$25,000. The withdrawals in 1842 and 1843, amounting to \$103,192.72, or \$107,000 if the public land money be included, may be ascribed to the expenses incurred in the suppression of Thomas Wilson Dorr's movement for constitutional reform, presenting the anomaly of use of a fund against him which he had been the leading factor in preserving in 1836. In June, 1843, \$10,000

was drawn from the fund to be applied to the public school appropriation, and the commissioners were directed to make no more investments of money returned by banks, without order from the General Assembly. In June, 1844, \$468.75 was received from the treasury of the United States as a further share in the proceeds of sales of public lands, and was covered into the general treasury.

Recapitulating: The state received \$382,335.30 of surplus revenue of the United States, liable to recall by the Federal Government, and \$4276.03 from the sale of public lands. From the deposit fund the state borrowed \$29,526.49 in 1840, \$78,192.72 in 1842 and \$35,000 in 1843, a total of \$142,719.21, and the state was further indebted to the fund seven cents through an error in accounting. The public land money was paid directly into the state treasury, through a subterfuge of marshalling it against the loan authorized in 1842, and without subterfuge in 1844. In dealing with surplus revenue and with the public land money, Treasurer Cahoon displayed the same policy of deliberate disregard of any obligation of the state that he showed in his dealings with the permanent school fund. It was not until 1858 that the General Assembly in a resolution announcing its discovery that the public land money had been paid into the general treasury, ordered the \$4276.03 added to the amount of the deposit fund. At the same time the error of seven cents in earlier accounting was rectified, making the total amount subject to account \$386,611.33. The act of 1858 was, however, merely an acknowledgment of indebtedness; as a matter of accounting, it increased the state's debt to the deposit fund, but no money was transferred by virtue of the act, either in 1858 or when, in 1859, the balance of the deposit fund was ordered credited to the permanent school fund.

Subsequent borrowings from the deposit fund were as follows: By act of May, 1845, \$10,000; by act of January, 1849, authorizing the withdrawal of so much as may be necessary to pay the

debt due the Bank of North America and the expenses and orders of the Assembly, provided that the sum so withdrawn shall not exceed \$45,000, \$41,526.67; in 1858, \$32,500. In 1859 the state's indebtedness to the fund, including money returned to the treasury and not reinvested, and also the public land money was \$231,070.06. The balance, \$155,541.27, was, in 1859, ordered credited to the permanent school fund, until such time as the Federal Government shall recall it. As a matter of fact, all that was credited was the stocks and bonds held. Money returned by banks and not reinvested, and the money balance in the treasury not part of authorized loans, was retained in the general treasury. Perhaps the act of January, 1860, by which the general treasury balance, \$11,191.80, was ordered transferred to the permanent school fund, was the result of an effort to rectify previous dereliction.

Income of the Fund.—The income from the deposit fund was \$1358.35 up to April 30, 1837, and for six fiscal years thereafter was \$17,676.24 in 1837-8, \$18,991.14 in 1838-9, \$17,084.27 in 1839-40, \$19,295.99 in 1840-1, \$16,306.95 in 1841-2, and \$12,213.52 in 1842-3, falling thereafter still lower as the principal was diverted into state loans. Under the school act of 1828, appropriating \$10,000 annually for the support of schools, and the act of 1836, applying the income of the fund to the same purpose, \$10,111.54 was apportioned in 1836, \$11,390.41 in 1837, \$27,696.76 in 1838. In January, 1839, a revised school law fixed the annual appropriation at \$25,000, the revenue to be applied being the income of the deposit fund, the balance of \$25,000 to be taken from the general treasury. The same act ordered revenue from lotteries and auctions applied, first to payment of the state's debt to the school fund, and thereafter to the increase of the school fund. The immediate effect of the act of 1839 was to reduce the annual school appropriation, which under the laws of 1828 and 1836 would have been \$28,991.14 in 1840, \$27,084.27 in 1841, \$29,295.99 in 1842, \$26,306.95

in 1843; but ultimately the effect of the act of 1839 was beneficial, because it maintained the appropriation at \$25,000 in the years when the income from the deposit fund, plus \$10,000, would have fallen below \$25,000.

The state, although promising repayment with interest at five per cent., paid neither principal nor interest. As an offset to the latter, however, may be placed the annual appropriation, maintained at \$25,000 under the act of 1845, raised to \$35,000 in 1850, and to \$50,000 in 1854, at which figure it remained when the deposit fund as a separate account passed from the books of the treasurer. With the decreasing return from the deposit fund, the burden of supporting public education shifted gradually from this special source of revenue to general taxation, a desirable change, inasmuch as public responsibility strengthens public consciousness, and public consciousness of responsibility is an important factor in the support of public education.

SUPPLEMENTARY SCHOOL REVENUE.

The remaining sources of special school revenue are of a different type from those already discussed. The acts of 1828, 1836 and 1839 rested the support of public schools upon special income, supplementing the special income by general revenue only when the former proved insufficient. Registry and poll taxes, dog licenses and penalties credited to the school account supplement the money appropriated from general revenue. Moreover, these taxes are not collected by the state and apportioned to the towns, but are collected by the towns, and applied to school support under the laws which authorize levy and collection.

Towns and cities derive the larger part of money expended for the support of public schools from general taxes levied upon property and from the apportionment of state appropriations. To the money appropriated by the town or city and the money apportioned by the state are added, under general laws, revenue

derived from poll taxes, the balance of receipts from dog licenses after deducting damages paid for injuries inflicted by dogs upon sheep, lambs, cattle, horses, hogs and fowl, tuition paid by non-resident pupils, income earned by property held in trust for public education, and fines levied under the compulsory attendance law.

Registry and Poll Taxes.—Poll taxes were assessed in Rhode Island before 1842, but the application of poll taxes to school support began with the Constitution adopted in that year, which provided:

“Every male native citizen of the United States . . . whose name shall be registered . . . on or before the last day of December in the year next preceding the time of his voting, and who shall show by legal proof that he has for and within the year next preceding the time he shall offer to vote, paid a tax or taxes assessed against him in any town or city in this state, to the amount of one dollar . . . shall have a right to vote. . . .

“The assessors of each town or city shall annually assess upon every person whose name shall be registered a tax of one dollar, or such sum as with his other taxes shall amount to one dollar, which registry tax shall be paid into the treasury of such town or city, and be applied to the support of public schools therein; but no compulsory process shall issue for the collection of any registry tax. . . .”

The tax thus levied and applied to school support was known as the registry tax. In June, 1844, the General Assembly perfected the law by passing an act providing that town treasurers should pay over to school committees for support of public schools all money received from the registry tax.

The registry tax was a purely voluntary tax, payment of which was assumed by the citizen who wished to participate in elections, as was indicated by the provision which forbade the issuing of compulsory process to enforce collection, and by the constitutional provision for the first registration, which described the registry tax as a voluntary payment. As a school

revenue measure the registry tax was defective for six reasons: First, it was assumed voluntarily, instead of being levied upon all persons who might become eligible to vote; second, payment was voluntary, instead of compulsory; third, the amount of revenue derived from it varied with the intensity of public interest in political issues and not with the needs of school support; fourth, the time of registration and payment, December, was too remote from the time of the state election, April, to give to the revenue full advantage of an interest in an issue which might be developed in the hustings; fifth, only native born citizens of the United States were eligible to qualify as electors, excluding naturalized citizens; sixth, in consequence of suffrage restriction, the potential electorate and the amount of the revenue derived from the registry tax did not keep pace with the increase of 70 per cent. in population in the 20 years from 1840 to 1860, recruited largely by immigration from Europe.

From the viewpoint of scientific politics and school administration, combined, the registry tax law as a school measure was defective for four reasons: First, it contrasted sharply with section 1 of article 9 of the Constitution, which recognized a broad public interest in schools by making other than qualified electors eligible for election to town school committees; second, it excluded from participation in the election of school committees a large class of citizens who should have a deep interest in free public schools; third, it exempted or excluded from taxation for school support all naturalized citizens who were not landholders, thus weakening public responsibility; fourth, it tended to place control of the public school system in the hands of a class of citizens, instead of all citizens. Thus it violated that broad and well-defined principle of public school administration in a democracy which aims to make the support and government of schools a subject of universal responsibility, and which in some commonwealths has prompted the granting of suffrage privileges to women in the selection of school boards

and school officers, and on school questions submitted to the referendum.

The registry tax provision of the Constitution was actually neither a revenue nor a school measure. The agitation for its modification or repeal, which continued for 46 years from 1842, was fostered by practical politicians and political reformers rather than by school men. This was, in the first instance, a continuation of the long-time political movement culminating in the Dorr war, which was only partly satisfied by the reforms in the Constitution of 1842. The narrow restriction of suffrage rights to landholders and their eldest sons, emphasizing primogeniture, gave way in 1842, but the naturalized citizen of the United States was still beyond the pale of suffrage rights in Rhode Island, unless he became a landholder. The advocate of a broader democracy, call him reformer or demagogue, found an issue ready-made for him as the ratio of electors to citizens and of electors to population diminished as immigration increased. In 1886 "soldiers and sailors of foreign birth, citizens of the United States, who served in the army or navy of the United States from this state in the late Civil War, and who were honorably discharged from such service," were admitted to "the right to vote . . . upon the same conditions and under and subject to the same restrictions as native born citizens." In 1888 an amendment to the Constitution substituted the poll tax for the registry tax. The poll tax amendment was as follows:

"Every male citizen . . . whose name shall be registered in the town or city where he resides on or before the last day of December in the year next preceding the time of his voting, shall have a right to vote. . . .

"The assessors of each town and city shall annually assess upon every person who, if registered, would be qualified to vote, a tax of one dollar, or such sum as with his other taxes shall amount to one dollar, which tax shall be paid into the treasury of such town or city and be applied to the support of public schools therein."

Excluding questions of practical politics, which make the time of registration an issue as well as the limited suffrage rights of non-property holders, and viewing the poll tax law as a school revenue measure, it is superior to the registry tax law, because it provides for the assessment of poll taxes upon all citizens eligible to become electors, but its effectiveness is determined largely by the strictness or laxness that attends collection of the tax. Moreover, there is an apparent conflict in the statutes that supplement the constitutional provision, it being provided in one place that the poll taxes *assessed* shall be applied to the support of public schools, and in another that town treasurers shall credit to the school account only the amount of the tax *collected*.

In 1914 the General Assembly authorized the assessing of poll taxes against resident male aliens, the poll tax thus covering all male residents, 21 years of age and older, except taxpayers whose other taxes amount to one dollar annually, and except citizens of other states less than two years in residence. The law follows:

"The assessors of taxes of each town and city shall, at the time of the annual assessment of town and city taxes therein, respectively, assess against every person in said town or city who, if registered, would be qualified to vote, a tax of one dollar, or so much thereof as with other taxes shall amount to one dollar; and shall also assess a tax of like amount, to be applied to the same purpose, against every other male person of the age of 21 years or over who is not a citizen of the United States, who has had his residence in said town or city for six months next preceding such assessment."

Dog Licenses.—Revenue derived from licensing dogs was ordered applied to the support of public schools, after deducting damages paid for injuries inflicted by dogs on domestic animals, by act of January, 1869. In 1875 an amendment to the statute authorized towns to set aside the balance as a damage fund, instead of applying it to school support. As a school revenue measure the law favors city schools. There are in cities and

compactly settled towns few sheep, lambs, cattle, horses, pigs and fowl likely to injury by dogs. In the city of Providence the dog license law yields a net revenue in excess of \$10,000 annually, which is transferred to the school budget.

Tuition.—In the schools established in Providence under the school act of 1800 and maintained in spite of its repeal, tuition was free, but pupils were assessed for fuel, until 1833, and were required to furnish ink for writing. The school law of 1828 omitted the word *free* as used in the act of 1800, and appropriated \$10,000 annually “to and for the exclusive purpose of keeping *public* schools.” Under this law, town school committees maintained such public schools and for such periods as the school money available warranted. A committee of Providence citizens which in 1831 investigated the operation of the law of 1828 reported thus: “In nearly every country town private schools correspond very nearly, both in number and scholars, with the public schools; they may be considered as the public schools continued by individual subscription from three to six months each.” The committee estimated the average time of schools, other than twenty which were continued through the year, as three months.

The law of 1839, appropriating \$25,000 annually “for the purpose of maintaining *public* schools,” directed that the money should be “applied to pay for instruction, and not for room rent, fuel or for any other purpose.” By subsequent act in the same year school committees were authorized to assess an amount sufficient to pay for fuel, rent and other incidental expenses, if these were not provided by the town, upon those who sent scholars to the schools. This was an important measure in so far as it enabled school committees to conduct schools where towns gave no aid, but it fastened the rate bill upon the Rhode Island school system. Parents or guardians too poor to pay were exempted.

The Barnard school law of 1845 authorized school districts to fix a rate of tuition to be paid by the parent, guardian or employer of each child attending school, toward the expenses of fuel, books and estimated expense, but not exceeding one dollar per pupil for each three months. No child could be excluded from school, however, on account of the inability of the parent, guardian or employer of the child to pay the tax, rate or assessment levied for school purposes.

Rate bills were abolished in 1868 and all the public schools of the state became *free public schools*.

School trustees under the district law, and school committees were authorized to receive and admit non-resident pupils, charging them tuition, which must be applied to school purposes. In 1839 school committees were authorized to provide for the attendance of town children at schools in other towns, if more convenient, and expedient, and to pay tuition for such children, the town receiving tuition being obliged to use it exclusively for school support. In 1898 a statute providing special aid for town high schools, authorized town school committees to send town children to approved high schools or academies in other towns and pay tuition for them, and in 1909 towns were required to establish high schools or send pupils fitted for high school to approved high schools or academies in other towns. Towns maintaining high schools are required by law to receive pupils from other towns at cost, under penalty of forfeiting state aid. All tuition received must be applied to school purposes. The cities and larger towns profit most from tuition payments.

Fines.—Under the truancy law, fines assessed for failure to send children to school accrue to the town for the support of schools. The revenue from this source is small.

School Funds.—Several towns derive a portion of school revenue from invested funds.

THE APPORTIONMENT OF PUBLIC SCHOOL MONEY.

Passing from revenue to apportionment, the theory and policy of public school support and their development appear clearly in the series of acts providing state aid for public schools. The theory and policy varied in Rhode Island from time to time, but the variation was progressive, and was continuously and always in one direction—toward a state system of free public schools supported in the main by general public taxation. While it is, perhaps, an anachronism to describe the public schools of Rhode Island as a *state* system until, in 1882, the school law was made mandatory, a clear presentation is facilitated by treating the town and district schools as a state system in process of development prior to 1882. State control was fostered by extending state support and by prescribing conditions precedent to receiving state support, and state control was perfected by statutory enactment when at last the people had been educated to it—when a public consciousness had been created and was aroused by a court decision that towns were not required by law to maintain free public schools—when civic experience had prepared for fruition.

The Act of 1800.—Upon the petition of the Providence Association of Mechanics and Manufacturers, presented in 1799, the General Assembly, in 1800, enacted a general school law, the financial provisions of which were as follows:

Sec. 4. And be it further Enacted: That for the encouragement of institutions so useful there shall be allowed and paid to the town treasurer of each town or his order, out of the general treasury at the end of every year, computing from the first of October next, twenty per cent. of the amount of the state taxes of that year paid into the general treasury by said town, provided the said sum or allowance of twenty per cent. shall not exceed in the whole the sum of \$6000 in any one year. And the town making application to the General Treasurer for said allowance shall exhibit and deliver to him a certificate

signed by the town council, town treasurer and schoolmaster or schoolmasters of said town, that a school or schools have been established and kept in said town according to the provisions of this act, and specify the number of schools and the term for which each school shall have been kept.

Sec. 5. And be it further Enacted: That the allowances aforesaid when paid to the town treasurer shall be and remain exclusively appropriated to the establishment and support of free schools, and shall be paid out under the order of the several town councils and be by them applied accordingly.

Section 6 provided for forfeiture of the town's right to the tax rebate upon failure to keep schools, and section 7 for an annual report to the General Assembly by the General Treasurer.

Sec. 8. And be it further Enacted: That if any school district in any town shall think fit to keep a school in said district for a longer time than the town shall provide for the same, or to erect a schoolhouse, or to enlarge, ornament or repair any already erected, it shall be and may be lawful for any seven freemen of said school district to make application to any justice of the peace in the town for a warrant for calling a meeting of the freemen of said district; and the said justice shall thereupon grant such warrant, directed to the town sergeant and constables of said town, to warn the freemen of said district to assemble at a proper time and place, to be prescribed in said warrant, to take into consideration the subject therein mentioned; and the said warrant being first served in the manner in which warrants for calling town meetings are served in said town, the freemen of said district, any seven of whom shall be a quorum, shall and may assemble and appoint a clerk, treasurer, collector and such other officers and committees as occasion may require, and order and assess such taxes on the inhabitants of said district, to be assessed in the proportion of the last town tax, as they may think necessary for the purpose aforesaid, which tax shall be collected by warrant from the clerk of said school district directed to the district collector, and shall be levied and collected in the same manner and under the same laws and regulations as town taxes, and shall be appropriated to the uses aforesaid, according to the vote and order of the said school district meeting; and the freemen of said district, assembled as aforesaid, shall and may make such other lawful orders and regulations relative to the continuance and support of their district school as to them may appear useful; and that any other meeting of such freemen shall and may be called by the clerk by warrant on request of any seven of said freemen, and the meeting so called shall and may have and exercise the powers and privileges aforesaid.

The act of 1800 died almost in the borning. In 1801 the operation of vital sections was suspended, and in 1803 the act was repealed. Curiously, neither the act itself nor the record of its repeal was printed in the Schedules. Henry Barnard, in his "History of the Rhode Island School Law," attributed the failure of the act to the want of an agent to explain its provisions. The eighth section, giving large powers to seven freemen, constituting a legal quorum, was objectionable, and is, perhaps, a sufficient explanation of the serious opposition to the law which speedily developed. Taxpayers who might interpose no obstacle to the operation of a law intended merely to provide aid for free public schools, realized how easily a comparatively small body of freemen, legally assembled, could commit a district to an extensive educational programme. There is no record of a payment of money from the state treasury in accordance with the provisions of the act. Although other towns considered the establishment of schools, Providence was the only town that actually carried the act into effect, and the public schools in Providence were maintained in spite of the repeal of the act.

The basis of apportionment was taxation. Twenty per cent. of the ordinary levy of the period, \$20,000, would have yielded \$4000 annually for distribution. Perhaps the freemen foresaw that besides possibly increased town taxation, increased state taxation might be necessary to meet the needs of the state if support of schools were undertaken. If the net state revenue were to be maintained at \$20,000, the annual levy must be raised to \$25,000; the 20 per cent. rebate would then carry \$5000 back to the towns. To produce \$6000 for distribution, the state tax must be raised to \$30,000.

The Rhode Island act of 1800 contrasts sharply with the early Massachusetts and Connecticut acts requiring towns to maintain schools, in that it provided state aid. Of this aspect of the

act the report of the committee of the General Assembly to which the petition for free schools was referred, said:

"The committee have attempted to insure the compliance of the towns with the requirements of the law by the encouragement of bounties, and not by the penalty of fines. Rewards, in their opinion, will be far more effectual than punishments. We all know and regret the facility with which the penalties of law are evaded. The only objection to bounties is the danger of fraud. The committee are of the opinion that the guards and checks of the bill are adequate to the prevention of that evil. They have made it the interest of every town to comply with the act, and yet the temptation held out to their self-interest is drawn from the funds of the town itself. The expense is to fall on the individual towns, and the general treasury will not be ultimately impoverished. The revenues necessary for the support of a system of free and general education will not probably exceed in amount the sums now paid by the citizens for the support of the partial institution of private schools. The burden will, in the proposed plan, be more equally laid, and its good effects more generally enjoyed; but the aggregate expense will not, in the opinion of the committee, be sensibly increased.

"Were it submitted to the towns to establish free schools without the certainty of loss in the event of non-compliance, even though that non-compliance should subject them to criminal prosecution, we should find but a tardy and unwilling obedience to the law, and, instead of the satisfaction which the Assembly may derive from the complete establishment of a general system of education, they must submit to the unavailing regret that their benevolent intentions have been misconstrued, disregarded and defeated."

Vain hope ! In spite of the fact that the "benevolent intentions" of the General Assembly were "misconstrued, disregarded and defeated," as proved by the speedy repeal of the law, the act of 1800 and the committee report are worthy of study, for some of the general principles set forth were subsequently carried into Rhode Island school legislation. It was clearly pointed out that a general system of education for all could be maintained at the cost of private education for a few—a pertinent reason for the socialization of education. And, further, the principle of attractive legislation was applied. Almost without exception, Rhode Island school legislation has been

attractive — to the extent that compliance with it earned a bounty. By such legislation the state has educated the people to the needs of education, not by abstraction, but by actual experience fostered by the state, and by enjoyment of the benefits of progress while a part of the burden of cost has been carried by the state. Since the unfortunate repeal of the law of 1800, no advance movement undertaken in Rhode Island schools has failed of accomplishment. The policy of the state has been to aid a beginning, nourish a growth and trust to the people to maintain what from use had changed from a luxury or fad to a recognized necessity.

The Act of 1828.—State support of public schools began with the school act of 1828, the financial provisions of which follow:

Sec. 1. Be it Enacted by the General Assembly, and by the Authority thereof it is Enacted: That from and after the passing of this act, all money that shall be paid into the general treasury by managers of lotteries or their agents, also all money that shall be paid into said treasury by auctioneers for duties accruing to the state, shall be set apart and paid over to the several towns in this state in manner hereinafter mentioned, in proportion to their respective population under the age of 16 years (changed to 15 in 1831), as exhibited by the census provided by law to be taken from time to time under the authority of the United States, always adopting for the ratio the census next preceding the time of paying out each annual appropriation of said money as herein provided, to be by said towns appropriated to and for the exclusive purpose of keeping public schools, and paying the expenses thereof, the sum, however, hereby appropriated to be paid in any one year not to exceed \$10,000.

Section 2 empowered towns to raise not exceeding double the amount of the state appropriation by tax levied by order of the freemen, but towns were not required to raise any money to be added to the state appropriation.

Subsequent sections provided for the payment of any excess of the specific revenue set aside over \$10,000 appropriated for school support into a permanent school fund, and that "whenever in any year the amount received as aforesaid from lotteries and auctioneers shall fall short of the sum of \$10,000 annually to be distributed, the dividends and interest only of said (permanent) fund then accrued, or so much thereof as

shall be necessary, shall be added to the last named sum, and paid over and distributed according to the provisions of this act," and further that "whenever in any year the money paid into the treasury from the sources provided by this act shall fall short of said sum of \$10,000, the deficiency for said year shall be made good from any money in the treasury not otherwise appropriated."

The act of 1828 assured an annual appropriation of \$10,000 for aid of public schools, to be maintained by the several towns. The radical departures in financial policy from the act of 1800 were in the nature of the revenue set aside for education and in the basis of apportionment. For wealth or taxation, population was substituted in the latter instance, with an approximation as near to school population as the age statistics of the United States census permitted. The modern state census began in Rhode Island only in 1865, and there was no annual school census until 1879. The United States census of 1830 reported age statistics in five-year periods beginning with the quinquennial and decennial years; that is, under 5, from 5 to 9, from 10 to 14, from 15 to 19 years. In 1831 the school law was modified accordingly, the basis of apportionment becoming population under 15. When it was found that the same census reported age statistics of free colored people under 10, and then only from 10 to 24, the law was amended again, basing the ratio of distribution upon white population under 15, plus colored population under 10, plus five-fourteenths of colored population between ages 10 and 24.* There was no change in the principle of apportionment.

Neither the law of 1836, appropriating the income of the United States deposit fund to school support, nor the act of 1839, fixing the annual school appropriation at \$25,000, changed the basis of apportionment, nor required the towns to supplement the state appropriation, but the act of 1839, by limiting the use of state school money to expenditure for instruction,

*This was obviously merely an expedient for reducing colored population to approximately the same basis as white population.

transferred to other sources the burden of providing money for fuel, rent and other incidental school expenses. This was, in fact and in law, the beginning of application of the principle that state school money should not be used to enrich the towns. Provision and maintenance of schoolhouses ultimately became a town function. The town in providing schoolhouses merely acquires property; to permit it to spend state school money for this purpose would enrich the town and defeat the purpose of the state in fostering public education. Under the district system the same principle was applied with reference to town school money, which, when apportioned to a district, could not be used in providing a schoolhouse. To enable school committees to conduct schools when towns made no provision for fuel, rent and incidental expenses, rate bills were authorized in 1839, but were abolished in 1868.

State Appropriations, to 1840.—The amount of state aid distributed annually to the several towns under the acts of 1828 and 1839, and the amounts raised in addition thereto by the towns in 1839 and 1840 are set forth in the following table:

	State appropriations.		Town appropriations.	
	1828	1839	1839	1840
Barrington.....	\$75.56	\$160.31	\$93.75	\$130.70
Bristol.....	380.63	790.62	.....	847.00
Burrillville.....	286.04	644.70	300.00	300.00
Charlestown.....	134.33	359.00	.....	.....
Coventry.....	408.75	1059.20	.....	.....
Cranston.....	260.75	680.33	500.00	500.00
Cumberland.....	314.73	970.83	500.00	500.00
East Greenwich.....	181.79	389.15	.....	.....
Exeter.....	323.82	685.80	.....	.....
Foster.....	394.83	821.45	.....	.....
Glocester.....	329.78	690.60	627.34	627.34
Hopkinton.....	229.80	481.65	.....	.....
Jamestown.....	50.22	80.15	.....	.....
Johnston.....	177.82	604.95	350.00	350.00
Little Compton.....	188.33	359.00	.....	.....
Middletown.....	119.87	252.80	.....	.....
Newport.....	767.50	1739.52	800.00	800.00
North Kingstown.....	378.92	827.62	.....	.....
New Shoreham.....	117.41	359.00	84.00	78.50
North Providence.....	286.80	864.62	260.00	500.00
Portsmouth.....	205.94	440.53	.....	.....
Providence.....	1252.09	3818.20	7000.00	7000.00
Richmond.....	194.85	413.80	.....	.....
Scituate.....	359.60	1048.92	300.00	300.00
Smithfield.....	583.72	1738.85	1000.00	1000.00
South Kingstown.....	485.16	1042.75	.....	.....
Tiverton.....	370.69	787.90	.....	295.00
Warren.....	209.06	403.52	360.00	360.00
Warwick.....	428.35	1454.50	400.00	500.00
Westerly.....	254.79	499.45	.....	.....
West Greenwich.....	247.98	530.28	.....	.....
Totals.....	\$10,000.00	\$25,000.00	\$12,575.09	\$14,088.54

A committee of citizens of Providence in 1831* reported 323 public schools in the state and 17,034 pupils attending them. The whole amount appropriated by towns to supplement the

*Oliver Angell's Report. See Chapter III.

state appropriation of \$10,000 was reported as \$11,490. In 1837 nineteen towns reported to the General Assembly 12,350 pupils. Barrington, Charlestown, Exeter, Johnston, Little Compton, New Shoreham, North Providence, Richmond, Scituate, South Kingstown, Tiverton and West Greenwich were not included.

Complete returns for the whole state are set forth in the following table, which shows the number of pupils, male, female and total; expenditures for fuel, rent and incidentals; cost of instruction; total expenditures; state appropriations and town expenditures, from 1839 to 1845. The figures were compiled from town reports to the Secretary of State.

	1839	1840	1841	1842	1843	1844	1845
Male pupils..	8112	10,202	11,253	12,479	11,960	11,811	11,386
Female pupils.	5636	7550	9000	9372	8132	10,345	9710
Total pupils	13,748	17,752	20,253	21,851	20,092	22,156	20,096
Expenditures:							
Fuel, rent, etc.	\$2972	\$4104	\$6313	\$5482	\$5899	\$5405	\$5165
Instruction...	32,383	36,096	40,516	39,088	42,944	48,336	48,444
Total exp..	\$35,355	\$40,200	\$46,829	\$44,570	\$48,843	\$53,741	\$53,609
State appro...	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Town exp....	\$10,355	\$15,200	\$21,829	\$19,570	\$23,843	\$28,741	\$28,609

Obviously, in the towns, a transforming process was in operation, evidenced by the rapid growth of town expenditures for education. The towns were almost ready, in 1845, for the next change in the basis of apportionment.

The Law of 1845.—The Barnard act of 1845 made no change in the amount of the state's annual appropriation of \$25,000, but if the public schools of that period may be viewed as a state system in the process of organization, it did change the basis of

apportionment of school money. The Barnard act required towns to raise by taxation at least one-third the amount received from the state. Viewing the towns as agents of the state for the collection and disbursement of the minimum town tax for school support, the state-town school money becomes \$33,333.33—to be apportioned \$25,000 on the basis of population under 15, and \$8333.33 on the basis of taxable wealth. That is, the towns were taxed, or ordered to tax themselves, \$8333.33 for the support of schools, but each was permitted to retain for support of its own schools the amount collected in the town. Henry Barnard, in his report of a draft of the law to the General Assembly, advocated a compulsory minimum town tax equal to the amount of the state appropriation. This, as the table above shows, would have been less for the whole state than the towns were appropriating without compulsion in 1845, but one-third the amount of the state school money was more than *some* of the towns were appropriating. Enforcement of the minimum town tax law was difficult; recourse to the penalty of withholding state school money was had in some instances; in 1848 the General Assembly passed a general law, ordering the transfer to the permanent school fund of the share of any town which forfeited its school money by failure to appropriate its quota.*

In 1850-1851 the House and Senate could not agree on a measure to raise the minimum town school tax to one-half the state appropriation, the Senate finally prevailing and the tax remaining unchanged. Hence the general school law of 1851 did not change the basis of apportionment, although Commissioner Potter in an earlier report to the General Assembly had recommended that in the revised school law apportionment should be readjusted in such manner as to render greater aid to school districts in which the population was scattered and the taxable wealth small. No change was made until three years later.

*Forfeitures still go to the permanent school fund.

Meanwhile the general tax law of 1849 provided an additional annual appropriation of \$10,000 for schools, apportioned on the same basis as the \$25,000 appropriated by earlier acts. Payment of \$35,000 annually began in 1850.

Increased Appropriations.—In 1854 the annual state appropriation was increased to \$50,000, \$35,000 to be apportioned on the basis of population under 15 years and \$15,000 in proportion to the number of school districts in each town. It was further provided that town school committees in apportioning the town's share in the \$15,000 should divide it equally amongst the districts.

Every town in the state benefited from the increased appropriation, but the larger share in the \$15,000 fell to towns having the largest number of districts. The following table shows for each town the average annual cost per pupil; the amounts distributed to the several towns in the apportionment of the \$35,000 and the \$15,000; in the last column, the total amounts available for school support in each of the several towns, including state and town appropriations, registry taxes and other income. The fourth column shows the amount which each town would receive from the \$15,000 if the apportionment were based on population under 15 years. A comparison of the third and fourth columns will show the effect of the change from population to school district as the basis of apportionment. The figures selected are those of the first apportionment under the act of 1854.

	Cost per pupil.	State appropriation.		On old basis	Total appropria- tion.
		\$35,000.	\$15,000.		
Barrington.....	\$9.31	\$1080.86	\$157.04	\$463.22	\$6435.03
Bristol.....	8.36	148.45	117.78	63.62	631.13
Burrillville.....	4.35	865.86	628.16	372.51	2626.58
Charlestown.....	3.42	247.18	274.82	105.93	1040.86
Coventry.....	3.89	841.08	706.68	360.46	2282.20
Cranston.....	7.12	1115.96	431.86	478.27	4749.39
Cumberland.....	7.92	1578.87	785.20	676.66	7576.07
East Greenwich.....	3.88	544.82	196.30	233.50	1314.21
Exeter.....	6.66	432.50	471.12	185.34	1419.32
Foster.....	4.42	475.35	745.94	203.72	1892.62
Glocester.....	8.08	623.80	588.90	267.34	2821.09
Hopkinton.....	5.68	655.24	471.12	266.73	2214.94
Jamestown.....	6.88	67.28	78.52	25.73	275.93
Johnston.....	4.56	752.51	510.38	322.59	2161.95
Little Compton.....	10.02	356.87	392.60	152.94	1953.07
Middletown.....	11.36	189.41	196.30	81.17	1154.71
Newport.....	16.15	2122.23	196.30	909.52	9229.28
New Shoreham.....	4.69	369.31	196.30	158.27	885.79
North Kingstown.....	6.05	711.56	588.90	304.95	3075.93
North Providence.....	4.78	1857.50	392.60	796.07	6330.89
Portsmouth.....	9.11	449.02	274.82	192.72	2115.23
Providence.....	9.03	9716.05	863.72	4164.02	43,336.36
Richmond.....	5.27	418.30	510.38	179.27	1318.70
Scituate.....	6.24	1026.74	706.68	440.03	3773.20
Smithfield.....	5.33	2759.19	1374.10	1196.80	9277.85
South Kingstown.....	4.66	961.69	824.46	412.16	2974.42
Tiverton.....	6.86	1302.44	667.42	558.19	5084.17
Warren.....	8.87	583.31	117.78	278.56	2582.28
Warwick.....	3.98	1755.86	588.90	752.51	4023.66
West Greenwich.....	4.66	324.70	471.12	139.62	1396.97
Westerly.....	5.39	663.29	471.12	274.27	2643.25
Total public school money, state and town.....					\$138,613 04

Effect of Density of Population.—The figures in the first column of the table, giving annual cost per pupil, must be accepted with the caution that the length of the school year varied in the several towns, and that the basis of computation was not uniform with respect to including or excluding rate bills in estimates. In 11 towns the per capita cost was less than \$5, and in 11 towns the per capita cost exceeded \$7. Arranged in the order of cost per pupil, from highest to

lowest, the list of towns reads: 1, Newport; 2, Middletown; 3, Little Compton; 4, Barrington; 5, Portsmouth; 6, Providence; 7, Glocester; 8, Warren; 9, Bristol; 10, Cumberland; 11, Cranston; 12, Jamestown; 13, Tiverton; 14, Exeter; 15, Scituate; 16, North Kingstown; 17, Hopkinton; 18, Smithfield; 19, Westerly; 20, Richmond; 21, North Providence; 22, New Shoreham; 23, West Greenwich; 24, South Kingstown; 25, Johnston; 26, Foster; 27, Burrillville; 28, Warwick; 29, Coventry; 30, East Greenwich; 31, Charlestown. One striking characteristic of this arrangement is that the eastern towns occupy 11 of the first 13 places, Glocester and Cranston being the only towns west of a line drawn through Narragansett bay and the Providence and Moshassuck rivers holding high positions.

Arranged in the order of population under 15, from greatest to least, the list of towns follows: 1, Providence; 2, Smithfield; 3, Newport; 4, North Providence; 5, Warwick; 6, Cumberland; 7, Tiverton; 8, Cranston; 9, Barrington; 10, Scituate; 11, South Kingstown; 12, Burrillville; 13, Coventry; 14, Johnston; 15, North Kingstown; 16, Westerly; 17, Hopkinton; 18, Glocester; 19, Warren; 20, East Greenwich; 21, Foster; 22, Portsmouth; 23, Exeter; 24, Richmond; 25, New Shoreham; 26, Little Compton; 27, West Greenwich; 28, Middletown; 29, Charlestown; 30, Bristol; 31, Jamestown.

Placed side by side, the two lists of towns show little correlation between the number of inhabitants and cost per pupil; density of population is plainly, therefore, a more likely index of per capita cost than is the number to be educated. The eastern towns were, and still are, more closely populated than the western towns. Lest the population rating be questioned, it should be remembered that in 1855 Tiverton included Fall River; Cumberland included part of Woonsocket; North Providence included a portion of what is now Providence, besides so much of Pawtucket as lies west of the Seekonk and

Blackstone rivers; Smithfield included North Smithfield, Lincoln, Central Falls and part of Woonsocket, and Warwick included West Warwick.

The last column of the table is of genuine interest in that it indicates the progress which popular support of public education had made in a quarter of a century from 1829, when Rhode Island as a state made its first apportionment of \$10,000 for the support of schools. In 1831 the total expenditure for public school support by both state and the towns was estimated at less than \$22,000; it was more than six times as great in 1855. The total expenditure in 1855 was more than three times as great as the expenditure in 1840, and it was two and one-half times as great as it had been in 1845.

A Change in Policy.—The main purpose of the table, however is to show, and the most significant fact which it presents is, the change in the policy of apportionment produced by the act of 1854. The change appears in a comparison of the third and fourth columns of the table. The third column shows the actual apportionment of the additional appropriation provided by the law of 1854 at \$39.26 per district for each of the 382 school districts in the state; the fourth column shows the amount of each town's share in the \$15,000 had the money been apportioned on the old basis of population under 15 years. Eight towns received less by the new than by the old plan of apportionment; 23 towns profited by the new ratio. The eight towns receiving less were Providence, Newport, North Providence, Barrington, Cranston, East Greenwich, Warren and Warwick. Of the eight towns Providence was first, Newport second, North Providence fourth, Warwick fifth, Cranston eighth, and Barrington ninth in population; that is, six of largest ten towns received less. Smithfield, with 35 districts; Cumberland, with 20; Scituate, with 18, and Tiverton, with 17, escaped decrease by sheer weight of the number of their districts. In Providence, Warren, Bristol and Newport, there were no districts,

strictly speaking; the division in these towns was calculated on the basis of schoolhouses.

The law of 1854 introduced a third principle of apportionment in Rhode Island—that of equal participation by the unit of school organization. This principle, under the district organization, favored the towns smaller in population. The General Assembly thus attempted to aid especially the weaker towns. The three bases of apportionment in force in 1855 were: Population under 15, taxable wealth, and the school district as a unit.

A fourth method of apportionment made its appearance in the Revised Statutes of 1857, which provided for the apportionment of the state's annual appropriation of \$50,000 to the towns, \$35,000 on the basis of population under 15 and \$15,000 in proportion to the number of school districts. Each town was required to raise by taxation at least one-half its share in the apportionment of \$35,000, an increase of one-sixth in the obligation of the town. School committees apportioning school money were required to divide the town's share of the \$15,000 equally amongst the districts; also one-half of the town's share in the \$35,000 equally, and the other half on the basis of average daily attendance. Proceeds of the town school tax and the registry tax might be divided equally, according to the order of the town, or at the discretion of the school committee in the absence of a town order. The novelty of the law lay in the recognition of average daily attendance as a new basis of apportionment.

In 1865 towns were required to appropriate annually an amount equal to the town's share in the state's distribution of \$35,000, carrying the state-town school appropriation to \$85,000. Three years later the state raised its annual appropriation to \$70,000, apportioned in the same ratio as the earlier \$50,000, and at the same time required towns to raise at least one-half the town's share in the distribution of the whole

\$70,000, the combined state-town appropriation thus reaching \$105,000.

Rate bills were forbidden thereafter, and the public schools of the state became free schools in fact as well as in name. Several towns had anticipated the law, Providence as early as 1833. In 1869 the state added another \$20,000 to its annual appropriation, in 1870 receipts from dog licenses were appropriated to the support of schools, and in 1871 towns were required to raise for school support an amount equal to their shares in the apportionment of the state appropriation. The state-town appropriation thus became \$180,000 annually.

The Laws Codified.—The General Statutes of 1872 furnished a codification of the law of school money apportionment as follows. It will be noted that the division of \$90,000 as \$63,000 and \$27,000 followed the seven-three ratio (that is \$35,000-\$15,000) of the law of 1854.

Chapter 46, Sec.1. The sum of \$90,000 shall be annually paid out of the income of the permanent school fund and from other money in the treasury for the support of public schools in the several towns upon the order of the Commissioner of Public Schools.

Sec. 2. The sum of \$63,000 shall be apportioned . . . in proportion to the number of children . . . under the age of 15; and the sum of \$27,000 . . . in proportion to the number of school districts in each town.

Sec. 3. The money appropriated by the state as aforesaid shall be denominated "teachers' money" and shall be applied to the wages of teachers and to no other purpose.

Sec. 4. No town shall receive any part of such state appropriation unless it shall raise by tax for the support of public schools, a sum equal to the amount it may receive from the state treasury for the support of public schools.

Chapter 47, Sec. 3. Any town may vote . . . to provide schoolhouses . . . fixtures and appendages thereto in all the districts . . . at the common expense of the town: Provided, that if any district shall provide at its own expense a schoolhouse approved by the school committee; such district shall not be taxed by the town to build or repair schools for other districts.

Sec. 4. Every school district may raise money by tax on the ratable property of the district to support public schools . . . provided that the amount of the tax shall be approved by the school committee.

Chapter 52, Sec. 2. The trustees of school districts shall provide schoolrooms and fuel.

Sec. 3. The trustees shall see that scholars are properly supplied with books, and in case they are not, and the parents, guardians or masters have been notified thereof by the teacher, shall provide the same at the expense of the district.

Chapter 53, Sec 12. Wherever the public schools are maintained by district organization the school committee shall apportion . . . among the school districts the town's proportion of the sum of \$63,000 received from the state, one-half equally and the other half according to the average daily attendance of the school of the preceding year.

Sec. 13. Wherever the town is divided into school districts . . . the school committee shall apply equally among all the districts of the town the town's proportion of the sum of \$27,000 received from the state.

Sec. 14. The school committee shall apply the money received from the town, from the registry tax, from school funds and from other sources, either equally or in such proportion as the town may direct, and for want of such direction, then in such manner as they deem best.

Sec. 21. The school committee may use annually out of the public appropriation a sum not exceeding \$40 to defray the expense of printing their report.

The annual appropriation and the method of apportionment remained unchanged from 1869 to 1884. But in the meantime the state had established Rhode Island Normal School, for which it had purchased and refitted a building, and which it maintained at an annual expenditure of close to \$10,000. For evening schools \$5000 was appropriated in 1873, to be apportioned and expended under the direction of the State Board of Education, with a smaller amount annually thereafter, according to the necessities of the evening schools. From 1880 dates an annual appropriation of \$3000, apportioned to the several towns to aid in purchasing dictionaries, encyclopædias, works of reference, maps and similar school apparatus. Rhode Island was not marking time in educational progress, by any means.

Beginning in 1879, the towns were required to take an annual census of children between the ages of five and fifteen years, but the purpose of this census at that time was to aid in enforcing the truancy law, not to determine the apportionment of school money. The Supreme Court having declared the school law merely permissive, in 1882 compliance with its provisions was made mandatory.

The Act of 1884.—In 1884 the state made its last increase of the general appropriation for the support of public schools, and also changed the method of apportionment. The statute provided for an annual appropriation of \$120,000, to be apportioned by the Commissioner of Public Schools among the several towns, as follows: "The sum of \$100 shall be apportioned for each school, not to exceed 15 in any one town; the remainder shall be apportioned according to the school census in proportion to the number of children from five to fifteen years of age, inclusive, in the several towns, according to the school census then last preceding." School in this statute refers to the organization of teacher, class, and school register; that is, approximately, schoolroom rather than schoolhouse. This feature of the law was merely an adaptation of the district unit, with the exception that units over fifteen were not counted in the apportionment. The effect of the law was distinctly favorable to the smaller towns. On the other hand, apportionment of the balance of the appropriation on the basis of school population rather than school attendance, distinctly favored the cities and larger towns, where parochial and other private schools are maintained. The apportionment by schools has increased slowly in 30 years, quite as much through the division of towns as through increase in the number of schools in smaller towns. In consequence of this increase and also because of increase of school population, the per capita apportioned has shrunk approximately 50 per cent., from \$1.20 to 60 cents, in round numbers.

Another Change of Policy.—The beginning of a new policy of apportionment overlapped the period which culminated in the law of 1884. While, as the amount of the appropriation fixed by the law of 1884 remains unchanged, the state may not be said to have abandoned the principle of the law of 1884, every advance in the past 30 years and two advances prior to 1884 apply a somewhat different method of apportionment. A brief resume of this legislation follows:

1873. An annual appropriation for the support and maintenance of evening schools in the various towns, under the general supervision of the State Board of Education, which apportions state aid at the discretion of the Board and according to necessity. The first appropriation carried \$5000; the amount has varied; it was \$9000 in 1917. The law prescribed no town obligation. The Board in 1916 adopted rules and regulations governing the apportionment of evening school money.

1880. An annual appropriation of \$3000 for the purchase of dictionaries, encyclopædias and other works of reference, maps, globes and other apparatus, for use of the public schools of the state. To participate in the apportionment towns must expend an amount equal to the state money, for the same purpose. Aid was limited to \$200 per town and \$10 per school annually. The restriction favored the smaller towns. The amount of the appropriation has been increased to \$4500.

1898. An act to encourage the consolidation of ungraded schools and the organization of graded schools, provided an additional \$100 annually for each graded school organized in accordance with its provisions, and that the towns should lose no part of the general appropriation in consequence of the reduction in the number of schools. The act clearly aimed to improve rural schools.

1898. An act to encourage and assist the establishment and maintenance of high schools, provided for the payment to towns

maintaining high schools in which the course of study was approved by the State Board of Education, or sending children to approved high schools or academies in other towns, of \$20 for each pupil in average attendance up to 25 pupils, and \$10 per pupil for each additional pupil up to 25, the maximum share of a town being \$750. In 1909 aid was increased to \$25 each for the first 25 pupils and \$15 each for the second 25, making the town's share \$1000, but the act of 1909 made the maintenance of a high school or the sending of town children to an approved high school compulsory. The act was intended to provide high school education for every town in the state. To aid graded schools and high schools the state appropriated \$37,500 in 1917. The limitation of the amount of state aid for high schools favors the smaller towns.

1903. An act providing state aid for towns employing expert superintendents. Providence, in 1839, hired the first Rhode Island town superintendent of schools. Towns were authorized to appoint superintendents by the act of 1851. In 1871 school committees were required to elect superintendents if the towns failed to do so. In 1903 the state undertook the payment of \$750 toward the salary of every superintendent receiving annually not less than \$1500. The act was intended as a persuasive inducement to small towns to raise the nominal salaries paid to part-time superintendents, and secure experts at small additional expense to the towns. The appropriation for this purpose was \$19,000 in 1917. In 1915 a plan for supervision even more favorable for small towns was adopted.

1903. School districts were abolished, the law to take effect January 1, 1904. The district had ceased to be a factor in the apportionment of state school money, under the act of 1884. The effects of abolishing districts were, on the revenue side, the elimination of school district taxes and the transfer of the burden of support of schools from the districts to the town as a

unit; and on the apportionment side, the obviation of special distribution to particular schools. The abolition of districts tended to level town school standards—upward. The act also caused important administrative changes.

1909. The state fixed the minimum salary for teachers at \$400. To assist towns paying smaller salaries, the state assumed one-half the increased expenditure. The appropriation in 1917 was \$6500. An indirect consequence of this act was a lengthening of the school year in several towns, which warranted legislation making the minimum school year 36 weeks. Several town school committees realized that a teacher's annual salary could be raised just as easily by lengthening the school year as by increasing her weekly wages. The lengthened school year gave the towns a return for the additional expenditure for instruction, which was taken advantage of. It is not certain that this by-product of the minimum salary law was not foreseen by the Commissioner of Public Schools.

1911. An act to encourage and aid medical inspection. Up to \$250 annually, any town may receive from the state one-half its expenditure for regular medical inspection in public and private schools. The restriction favors the smaller towns. The appropriation was \$4000 in 1917.

1912. An act providing an appropriation from which any town may receive from the state one-half the amount which the town expends for apparatus and equipment for instruction in manual training and household arts, and one-half the town's expenditure for instruction in courses in vocational industrial education. The appropriation is \$5000 annually.

1913. An act appropriating \$5000 annually, which the State Board of Education and the Commissioner of Public Schools apportion as special assistance to towns in which the taxable property is inadequate, at the average rate of taxation throughout the state, to support public schools of high standard. No limitation is imposed upon the purposes for which the money may be expended.

The Purpose: Improvement and Extension.—The state appropriations for apportionment to the several towns for school purposes under the legislation cited exceeded \$90,000 in 1917. Since 1884, without changing the amount of its general school appropriation, Rhode Island has increased its appropriations for aid of public schools more than 75 per cent. Under the earlier general appropriation laws a system of state-town schools, maintained under mandatory statutes and supported partly by the state and partly by town taxation, had been developed. The legislation and appropriations since 1884 have aimed at improvement and extension of the system. The state, from time to time, has selected a specific progressive movement for encouragement. The policy of apportionment has been determined largely by the needs of the weaker towns, in an attempt to lighten the burdens imposed or to be undertaken. The purpose of the state has been improvement for all schools, city and rural, alike. As a rule, therefore, the maximum aid for cities and towns has been the same in amount, but the aid per pupil and proportionate to taxable wealth has been greatest in the weakest towns. The principle of attractive legislation has been maintained, and with it the principle of encouraging self-help. To the towns the state has said: "If you will undertake this improvement, I will help you by sharing the cost."

Recapitulating: The bases of apportioning public school money in Rhode Island have varied as follows:

1800. Taxable wealth; law repealed, 1803.

1800-1845. Population under 16-15.

1845-1854. Population under 15 and taxable wealth.

1854-1857. Population under 15, number of school districts and taxable wealth.

1857-1884. To the towns, population under 15, number of school districts and taxable wealth. To the districts, number of districts, average attendance, discretion of the school committee and taxable wealth.

1884-1917. General appropriation, number of schools up to 15 in each town or city, and school population, 5 to 15 years. Special appropriations, generally an amount equal to one-half the town's expenditure up to a specified maximum.

PUBLIC SUPPORT OF SCHOOLS.

The significant facts in the history of public support of schools in Rhode Island are the increase in the amount of the state's annual appropriations; the vastly more rapid increase in the amount of money raised by town taxation and appropriated by the towns for school purposes; the increase in the total amount of money available for school support, accelerated by larger returns from all sources; and the placing of the burden of public school support on taxation of wealth. The story is told statistically in the following tables so clearly that scarcely any comment is necessary, beyond an explanation of the grouping of figures, the sources from which they were obtained, and the changes from time to time in the grouping, knowledge of which is a necessary precaution against comparisons which might be odious through error.

The figures have been taken from 66 reports of the Commissioner of Public Schools to the General Assembly and to the Board of Education. The tables show the amounts of state appropriations distributed to the towns annually, but no part of the money which the state expends directly or appropriates for institutions; the amounts of town appropriations for school support and improvement annually; the amounts derived from rate bills and school district taxes annually; the amounts derived from specified sources, but not, separately, from all other sources annually; and the total amount from all sources available for school support in each year. This total includes, besides the total amounts of receipts from sources specifically and separately presented, additional receipts from school funds, loans, donations or any other source. The two columns under expenditures separate the amounts paid in each year for in-

struction and incidental school expenses, that is, cost of maintenance, from the amounts paid for buildings and school furniture, properly rated as permanent improvements.

The purpose of the tables is to measure by statistics the growth of a public consciousness and its expression in the acceptance by the people of Rhode Island of the responsibility of supporting public education. The record is such that the state may well feel proud of it.

The first table covers 19 years, from 1851 to 1869, and shows state and town appropriations, receipts from rate bills and registry taxes, total amounts available for school purposes, and expenditures for schools and buildings. The irregularity in the increase normally to be expected is explained in large part by incomplete returns; the figures for 1861, a notable exception to the rule of sustained improvement, omit school expenditures in Providence. The returns from rate bills and registry taxes fluctuated. The table stops at 1869 because of the abolition of rate bills.

	APPROPRIATIONS.		Rate Bill.	Registry Tax.	Total.*	EXPENDITURES.	
	State.	Town.				Schools.	B'ld'gs.
1851.....	\$35,168	\$55,489	\$10,075	\$6,327	\$110,294	\$94,472	\$23,903
1852.....	34,998	55,806	10,210	8,015	115,160	98,135	9,626
1853.....	35,000	66,081	6,516	7,369	125,004	115,081	21,902
1854.....	34,997	61,013	10,823	6,185	118,602	103,050	7,349
1855.....	49,994	62,565	11,721	7,923	138,613	131,675	16,001
1856.....	49,994	79,740	10,502	6,522	151,843	148,347	33,085
1857.....	50,931	98,212	7,394	11,185	172,415	167,520	32,518
1858.....	49,997	107,021	5,251	10,163	190,969	112,177	48,085
1859.....	49,997	91,284	5,893	10,794	162,687	151,696	12,457
1860.....	49,997	95,873	6,831	11,539	168,365	120,075	34,729
1861.....	49,997	99,281	5,420	15,512	174,695	82,093	25,528
1862.....	49,164	94,972	3,739	12,681	164,493	158,324	2,577
1863.....	49,997	99,296	4,551	13,443	160,748	166,308	21,587
1864.....	49,997	101,518	3,296	10,339	178,954	166,611	9,704
1865.....	49,997	150,596	4,920	9,784	177,240	143,614	17,578
1866.....	49,997	150,563	9,655	7,489	227,791	201,279	23,518
1867.....	49,997	165,317	9,630	10,867	324,831	217,906	89,098
1868.....	49,997	189,664	8,945	24,758	286,852	271,562	62,309
1869.....	70,000	199,861	2,452	12,432	302,807	267,176	85,845

*Includes balances, loans, income of funds and donations.

The school district tax replaced the rate bill in 1868-9. The receipts from registry taxes in the following table are combined with "other receipts," as in the reports of the Commissioner. The first appropriation for evening schools appeared in the state column for 1874, and that for apparatus in 1881. The table covers 20 years, stopping at 1887, when the registry tax passed out of the Constitution. The extraordinary figure in the fourth column for 1874 is not an error; the large receipts were probably due to loans for school building.

	State.	Town.	Registry and other.	District Taxes.	Total.*	EXPENDITURES.	
						Schools.	B'd'gs.
1870.....	\$90,000	\$246,046	\$48,890	\$82,197	\$470,899	\$336,662	\$212,391
1871.....	90,000	315,348	36,363	58,952	514,040	312,326	148,835
1872.....	90,000	309,579	24,491	59,722	496,906	375,407	90,217
1873.....	90,000	414,186	28,899	41,664	589,861	431,520	171,292
1874.....	93,314	328,322	210,355	66,882	745,770	453,670	237,181
1875.....	92,495	566,756	28,587	47,626	761,797	489,317	274,326
1876.....	91,569	509,957	39,631	58,915	734,116	642,879	206,587
1877.....	91,654	521,156	34,440	52,785	730,422	502,846	223,117
1878.....	92,307	494,637	34,600	56,543	709,444	555,102	174,669
1879.....	92,923	423,272	27,467	31,786	600,208	479,862	117,886
1880.....	93,248	365,422	26,390	49,429	558,451	487,631	56,570
1881.....	93,859	397,241	33,753	37,325	582,966	503,543	46,394
1882.....	94,106	409,344	25,192	60,691	608,126	519,702	73,134
1883.....	92,995	481,172	23,807	55,270	674,396	517,101	130,215
1884.....	92,370	474,677	32,387	37,482	659,586	534,183	102,359
1885.....	93,580	572,047	31,143	44,669	780,003	571,827	164,995
1886.....	123,869	582,515	32,226	54,223	839,865	608,380	174,586
1887.....	123,945	578,286	39,261	35,131	844,225	636,983	161,482
1888.....	124,563	620,165	46,616	51,157	930,540	743,190	184,785
1889.....	125,001	655,070	51,525	63,790	978,962	690,074	217,213

*Includes balances, loans, income of funds and donations.

Poll taxes replaced registry taxes in 1889-90. The figures below combine poll and dog taxes. Until 1900 the two sources produced nearly an equal revenue, dogs slightly leading ratable polls who paid taxes. The right to vote being independent of the payment of this tax, there was no incentive to pay it, particularly where towns made little attempt to enforce collection. A decision by the Supreme Court that the poll tax was con-

stitutional and that collection could be enforced, increased the receipts from this source and explains the marked improvement in the fourth column of the table, beginning with 1902. The table covers 15 years, from 1890 to 1904, when school districts were abolished.

	State.	Town.	Polls and dogs.	District Taxes.	Total.*	EXPENDITURES.	
						Schools.	B'ld'gs.
1890.....	\$124,596	\$685,004	\$41,352	\$61,382	\$1,091,994	\$714,910	\$203,080
1891.....	128,458	763,675	43,402	66,270	1,185,104	801,272	256,384
1892.....	126,366	839,662	41,011	59,388	1,469,301	833,420	467,596
1893.....	127,120	898,529	42,155	45,560	1,334,108	907,268	277,790
1894.....	126,747	966,594	36,550	55,647	1,670,010	1,058,134	420,706
1895.....	128,940	1,116,801	36,926	46,919	1,633,290	1,095,999	267,086
1896.....	127,129	1,125,664	37,116	45,118	1,715,300	1,135,126	493,455
1897.....	128,281	1,214,197	35,654	47,695	1,774,106	1,197,121	534,614
1898.....	129,294	1,248,467	33,361	53,700	1,781,757	1,282,962	434,531
1899.....	128,324	1,223,733	32,307	43,151	1,665,609	1,296,781	274,114
1900.....	139,799	1,206,684	43,623	52,224	1,572,307	1,328,843	197,713
1901.....	141,250	1,279,926	50,234	40,773	1,673,449	1,386,549	243,410
1902.....	141,805	1,485,953	57,407	54,938	1,868,382	1,407,658	300,755
1903.....	142,773	1,417,610	61,437	78,534	1,948,685	1,455,206	401,169
1904.....	149,019	1,476,837	66,101	2,044	1,854,952	1,542,353	262,409

*Includes balances, loans, income of funds and donations.

With the abolition of school districts, district taxes passed from the sources of school revenue, In the table that follows poll taxes and dog taxes are separated.

	State.	Town.	Polls.	Dog.	Total.*	EXPENDITURES.	
						Schools.	B'ld'gs.
1905.....	\$152,346	\$1,593,935	\$38,951	\$29,679	\$2,014,821	\$1,563,856	\$393,894
1906.....	157,168	1,785,368	40,615	30,410	2,340,186	1,707,485	534,124
1907.....	159,530	1,850,677	39,009	29,639	2,433,958	1,772,711	509,426
1908.....	160,725	1,866,220	37,585	27,165	2,439,139	1,856,167	445,884
1909.....	162,796	2,021,792	38,118	25,219	2,973,301	1,927,171	915,866
1910.....	162,598	2,477,625	39,797	28,088	2,537,943	1,976,261	510,496
1911.....	170,510	2,095,324	39,701	28,825	2,480,493	2,075,538	282,233
1912.....	173,863	2,166,350	38,152	29,997	2,578,106	2,152,523	252,129
1913.....	176,520	2,386,506	39,936	30,818	2,890,013	2,250,673	467,219
1914.....	188,592	2,427,768	40,145	27,449	3,011,166	2,397,578	471,276
1915.....	192,644	2,880,248	59,807	26,183	3,581,062	2,518,367	818,018
1916.....	204,659	2,957,598	67,731	26,098	3,940,294	2,673,574	929,963

*Includes balances, loans, income of funds and donations.

Another Measure of Progress.—An even more convincing measure of progress in the state is furnished by the figures in the following tables, which show the growth of the tax levied upon ratable property by the towns for school purposes from year to year, and the gradual increase in the per capita available for the education of the school population. That is, the tables show: First, that the burden of school support assumed by the taxpayers has increased faster than taxable wealth, because the tax rate has increased. Second, that the amount of money provided by the towns for school support has increased faster than school population, because the per capita available has increased. Neither tax rate nor per capita would increase if the annual appropriations merely kept pace with the growth of taxable wealth and the increase of school population. This proof of progress is conclusive. The figures for the tables were taken from the annual reports of the Commissioner of Public Schools.

The first table covers 13 years, from 1874 to 1886. The per capita expenditure is "exclusively for teachers' wages."

	Tax rate.	Per capita.		Tax rate.	Per capita.
1874.....	.10	....	1881.....	.1075	7.46
1875.....	.11	7.19	1882.....	.1125	7.23
1876.....	.11	7.64	1883.....	.12	7.06
1877.....	.11	....	1884.....	.13	7.34
1878.....	.10	....	1885.....	.1350	8.84
1879.....	.10	....	1886.....	.1375	7.81
1880.....	.10	7.47			

The second table shows the town school tax rate, and the cost of schools per capita of school population.

	Tax rate.	Per capita.		Tax rate.	Per capita
1887.....	.14	7.26	1902.....	.29	14.01
1888.....	.1650	7.73	1903.....	.3150	15.13
1889.....	.1675	7.87	1904.....	.3175	15.07
1890.....	.17	8.43	1905.....	.3125	15.66
1891.....	.18	9.09	1906.....	.3375	16.52
1892.....	.20	10.03	1907.....	.3375	16.60
1893.....	.22	10.86	1908.....	.3375	16.47
1894.....	.23	11.59	1909.....	.3475	17.28
1895.....	.2225	11.53	1910.....	.3475	18.11
1896.....	.2475	12.79	1911.....	.3525	18.54
1897.....	.2725	13.89	1912.....	.3525	18.38
1898.....	.2775	13.76	1913.....	.3300	19.47
1899.....	.2750	13.70	1914.....	.3350	20.78
1900.....	.2850	14.06	1915.....	.3425	21.40
1901.....	.2850	13.88	1916.....	.3775	23.46

THE STATE'S CONTRIBUTION TO EDUCATION.

The splendid record of state-town support of free public schools covers only one phase of the state's activity in the promotion of public education, and the money apportioned by the state to the towns is approximately only one-third of the state's entire expenditure for public education. One-fourth of the state's annual appropriations are made directly for educational purposes, this calculation including only money paid for schools, libraries and educational institutions, and excluding expenditures for printing and binding books and reports for general distribution, and money paid for support of institutions whose major purpose is not distinctly educational. Besides the exemption of educational institutions from taxation, and the support and maintenance of free public schools for normal children, the state's educational activities may be classified thus:

1. Administrative and supervisory.
2. Preparation, education, training and improvement of the teaching staff, and measures for the improvement of the status of the teacher economically.
3. Maintenance and support of institutions of higher learning and technical training.

4. Provision of educational opportunities for classes of citizens whose defects or abnormalities bar them from the public schools or render their attendance at public schools of doubtful value to themselves or detrimental to the schools.

5. Maintenance of schools in connection with eleemosynary and corrective institutions.

6. Maintenance of two state libraries, and of travelling libraries, and aid for and supervision of free public libraries.

7. Aid for historical and humane societies.

The history of the origin, foundation and development of these educational activities has been given in another chapter. The discussion here is limited to public finance.

1. Administrative and supervisory. Central control of the state system of schools is vested in the State Board of Education and the Commissioner of Public Schools. The State Board serves without compensation. The salaries of the Commissioner and his assistant, and the expenses of his office exceed \$10,000 annually.

2. Education and improvement of teachers. The state maintains one normal school, in Providence, and to "equalize opportunity" pays mileage for pupils from outside the city. From \$10,000 the cost of maintenance has risen to \$70,000 annually.* Mileage for students costs \$4000 annually. The state also supports with an appropriation of \$5000 annually a graduate department of education in Brown University; free scholarships are granted by the State Board of Education to teachers and prospective teachers. For teachers' institutes the state appropriates \$500 annually, and for lectures and addresses for teachers, \$800 annually.

High standards of professional training of teachers are maintained through the state certificate law. For the examination

*This is in addition to tuition fees for pupils in the observation school and normal department, which are credited to the normal school account.

and certification of teachers by the State Board of Education, the state provides \$2800 annually.

Beyond the apportionment of teachers' money to the towns, and the teachers' minimum salary law, the economic status of teachers is improved through the pension law, which relieves teachers somewhat of the necessity of saving for their declining years. Rhode Island's pension law is maintained exclusively by the state, which exacts no contribution from the teachers. The cost exceeds \$45,000 annually.

Altogether, Rhode Island spends \$130,000 annually for the improvement of teaching and for the benefit of teachers.

3. Higher education and technical education. The state supplements Federal Government provision for the Rhode Island State College by an annual appropriation of \$40,000, besides providing the site and buildings, the state's investment exceeding \$450,000. Special courses at the Rhode Island School of Design receive state aid; the state provides free scholarships at this school. The Rhode Island School of Design is a quasi-public educational institution, chartered by the state and supported by endowments, donations, tuition and state appropriations. Two members of the State Board of Education serve as members of the board of directors of the school, and the Commissioner of Public Schools is a director and a member of the executive committee. The Rhode Island College of Pharmacy receives \$1000 annually for scholarships. Higher education costs the state at least \$64,000 annually.

4. Education of defective classes. Two schools, the Rhode Island Institute for the Deaf and the Exeter School, are state institutions. For blind children of indigent parents the State Board of Education may provide suitable care, maintenance and instruction up to school age. Blind children of school age may be sent at the expense of the state to institutions for the education of the blind. For the adult blind, education in their homes is provided. Besides the state's investment in sites and

buildings, education of these defective classes involves an annual expenditure of \$115,000.

5. Eleemosynary and corrective. The State Home and School affords an asylum, as well as an education, for neglected and dependent children not recognized as vicious or criminal. The annual cost is \$70,000. In correctional institutions for youth, the Sockanosset School for Boys and the Oaklawn School for Girls, schooling is supplemented by vocational and industrial training.

6. Libraries. Rhode Island maintains a State Library and legislative reference bureau at an annual cost of \$10,000; a State Law Library, for use of judges and counsel, costing \$8,000 annually, and distributes \$9700 for the support of free public libraries. Travelling libraries and a library visitor increase the annual cost by \$2500, the total for library support being \$30,200 annually.

7. Historical and humane societies receive \$10,000 annually from the state.

Thus Rhode Island spends \$130,000 for the improvement of teaching and teachers, \$64,000 for higher education, \$115,000 for the education of defective classes, \$70,000 for the education of neglected and dependent children, \$30,200 for libraries, \$10,000 for historical and humane societies, which with the money apportioned to the towns for school support and the expenses of administration, makes a grand total of \$650,000. Less than \$10,000 is derived from the income of the permanent school fund, the balance being a product of taxation. The total amount available for education, through state and town appropriations is, therefore, nearly four and one-half million dollars annually.

Ancillary School Finance.—Rhode Island's participation in educational activity ancillary to free public schools is not of merely recent date, as witness the following chronology:

- 1845. Office of Commissioner of Public Schools created.
- 1845. First annual appropriation for education of the blind.
- 1845. Commissioner of Public Schools authorized to aid and encourage free public libraries.
- 1849. First annual appropriation for teachers' institutes.
- 1850. Agreement with Brown University for establishing department for training of teachers.
- 1852. First normal school established.
- 1852. Secretary of State authorized to procure room for Library.
- 1854. Second normal school established.
- 1857. Commissioners appointed by Governor to visit England and the Continent, to ascertain best means of improving manufactures depending upon design.
- 1863. Land scrip, under Morrill act, assigned to Brown University, for establishing a college or department of agriculture.
- 1863. Rhode Island Institute of Instruction chartered. Established 1844.
- 1864. Work of educating defective classes extended; annual appropriation for education of blind, deaf, dumb, idiots and imbeciles.
- 1866. Appropriation for normal training of teachers at academies.
- 1867. Towns authorized to levy taxes for free library support.
- 1868. State Law Library established under care of Clerk of Supreme Court. This library succeeded the Providence Bar Library and took over books of the state entrusted to the latter.
- 1870. State Board of Education created.
- 1871. Present Rhode Island Normal School established.
- 1873. State aid for evening schools.

1875. State Board of Education authorized to apportion State aid to free public libraries.

1877. Institute for Deaf established.

1882-1884. Rhode Island School of Design. State scholarships provided.

1884. State Home and School established.

1888. Rhode Island State College established, first as an agricultural and mechanics arts school. In 1893 the school was reorganized as a college of agriculture and mechanic arts.

1898. State Board of Education made exclusive agency for certificating teachers.

1907. Exeter School established.

1909. First teachers' pensions legislation.

1911. Travelling libraries and library visitor provided for.

1912. Graduate courses and free scholarships in education at Brown University authorized.

With the exception of the earlier normal schools and the department of agriculture at Brown University, each of the activities thus begun has been continued. The present normal school has been in some part the fruition of earlier failures. The department of agriculture at Brown University was discontinued when the state reorganized the school of agriculture and mechanic arts at Kingston as a college.

THE PHILOSOPHY OF SCHOOL FINANCE— A SUMMARY.

The history of school finance in Rhode Island is unitary—not fragmentary. It portrays a growth—an evolution—paralleling and corresponding with the development of a civic social consciousness. Rhode Island's realization of public responsibility for education of all the people of the state did not spring full grown from the deliberations of one session of the General

Assembly, as did Athena from the brow of Zeus; it passed through several preliminary stages of development and attained full florescence only after nearly a century of experience. The beginning was not with a mandatory statute, as in Massachusetts and Connecticut; in Rhode Island the mandatory statute of 1882 perfected a structure already erected. The law of 1882 simply forbade—as has more than one Rhode Island school law—a retrogression and the abandonment of a function already exercised. The development of public responsibility may be traced in school financial legislation, and the several stages may be characterized by six words:

1. *Recognition*.—The earliest school legislation, exempting school property from taxation, symbolizes the state's recognition of education as beneficial to the state. The words of the charter granted to Rhode Island College are significant: "So as most effectually to answer the valuable ends of this most useful institution." Beyond recognition public sentiment scarcely went; hostile public sentiment caused the repeal of the law of 1800.

2. *Patronage*.—The law of 1828 is typical of patronage. Rhode Island was almost as prodigal as a spendthrift in setting apart for education the money accruing to the state from lotteries and auctions. Money easily acquired was thus generously devoted to a noble purpose. Still, the General Assembly of the period was merely satisfying a demand for public schools already becoming insistent.

3. *Opportunity*.—The distribution of the surplus revenue of the United States under the law of 1836 presented an opportunity for school development, which the General Assembly did not fail to grasp.

4. *Consciousness*.—The Barnard act of 1845 carried responsibility home to the town taxpayer through its requirement that the towns should supplement state appropriations. The growth

of public consciousness is indicated in the Constitution of 1842, which made the General Assembly a school committee for the state, whose duty it is "to promote public schools, and to adopt all means which they may deem necessary to secure to the people the advantages and opportunity of education."

5. *Consummation*.—The growing sense of responsibility functioned in increased appropriations, rising from \$10,000 annually to \$120,000 annually by the state, and an equivalent amount required of the towns. The structure was perfected when, in 1882, the permission previously granted towns to maintain schools was replaced by a mandatory provision compelling them. The word *shall* was substituted for *may* in the statutes.

6. *Selection*, or improvement by selection. This is the process now in progress, by which the state encourages specific improvements by appropriations for special purposes.

CHAPTER VIII.

THE PERMANENT SCHOOL FUND.

The establishment of a permanent school fund was foreshadowed in a constitution for the State of Rhode Island adopted in convention at Newport on June 21, 1824, which, however, in the referendum, failed of ratification by the free-men. This constitution contained an article entitled "Of Education," which read as follows:

1. A fund shall be created from all monies received from taxes on licenses granted under the authority of this state, for the support of free schools, which shall be called the school fund, and shall be invested and remain a perpetual fund, and shall continue to accumulate until the interest arising therefrom, together with the taxes annually paid on licenses, shall be sufficient to support free schools at least three months in each year in every town in this state.

2. All charitable donations for the support of free schools shall be invested and applied agreeably to the will and pleasure of the donors.

3. The General Assembly shall make all the necessary provisions by law for carrying this article into effect; but no law shall ever be passed, authorizing said fund to be diverted to any other use than the support of free schools in the several towns in this state, as provided in the first paragraph of this article.

The Act of 1828.—The debate in the January session of the General Assembly in 1828 indicates that those who dared not oppose openly legislation establishing public schools, attempted to prevent immediate action by offering in substitution a plan for a permanent school fund, the income of which was to be applied to supporting public schools only when sufficient there-

for without other aid from the state. So powerful were the leaders of this disguised opposition that a provision for a permanent school fund appears in the draft of the act reported from committee; they were unable, however, in the final test to carry their substitute, but their argument for a permanent fund had so far convinced the majority that when the vote came upon the committee report favoring a permanent school fund, the latter also received the support of the majority. Thus the act of 1828 provided, not only state support for public schools, but also the nucleus of a permanent school fund, to which \$5000 was appropriated. The sections of the act of 1828 bearing upon the permanent school fund are as follows:

1. Be it Enacted by the General Assembly and by the authority thereof it is Enacted: That from and after the passing of this act, all money that shall be paid into the general treasury by managers of lotteries or their agents, also all money that shall be paid into said treasury by auctioneers for duties accruing to the state, shall be set apart and paid over to the several towns in this state in manner hereinafter mentioned, in proportion to their respective population under the age of sixteen years, as exhibited in the census provided by law to be taken from time to time under the authority of the United States, always adopting for said ratio the census next preceding the time of paying out each annual appropriation of said money as herein provided, to be by said towns appropriated to and for the exclusive purpose of keeping public schools and paying the expenses thereof; the sum, however, hereby appropriated, to be paid over in any one year, not to exceed \$10,000.

5. And be it further Enacted: That the General Treasurer shall keep an accurate account of all sums of money paid into the general treasury by lottery managers or their agents, and by auctioneers for duties accruing to the state, and shall make a report thereof to the General Assembly once a year, to wit, at the May session, particularly setting forth the sums arising from each of said sources during the preceding year.

8. And be it further Enacted: That of the sum now in the treasury there be appropriated and set apart the sum of \$5000 for the commencement and formation of a permanent fund for the support of public schools; and for that purpose the sum of \$5000 shall be immediately, or as soon as may be, invested by the General Treasurer, with the advice of the Governor, by purchase or subscription, in the stock of some safe

and responsible bank; to which such sum shall be added, and in like manner invested from year to year, all the monies that shall accrue as aforesaid from lotteries and auctions over and above said yearly sum of \$10,000; and all donations that may be made to said fund for the purposes thereof, and the dividends and interest that shall from time to time accrue to said fund, shall in like manner be added thereto and invested; but whenever, in any year, the amount received as aforesaid from lotteries and auctions shall fall short of the sum of \$10,000 annually to be distributed, the dividends and interest only of said fund then accrued, or so much thereof as shall be necessary, shall be added to the last-named sum, and paid over and distributed according to the provisions of this act.

9. And be it further Enacted: That whenever in any year the money paid into the treasury from the sources provided by this act shall fall short of said sum of \$10,000, the deficiency for said year shall be made good from any money in the treasury not otherwise appropriated.

On April 28, 1828, the General Treasurer purchased for the permanent school fund 91 shares of stock of the Mechanics Bank of Providence, of the par value of \$50 per share, paying therefor \$5000 and \$53.53 for accrued interest. Meanwhile, on January 22, 1828, the first payments of money appropriated to the new account for support of schools were made and entered on the books of the treasurer. Up to April 30, 1828, \$5538.01 had been paid into the general treasury by managers of lotteries and auctioneers, and the treasurer was thus able to begin after June 1, 1828, paying to the several towns the shares in the school appropriation assigned to them by the ratio provided by the act.

Although the school law required only an annual report at the May session, the treasurer reported semi-annually, at the May and October sessions, the amounts of money collected and disbursed under the act, but at no time until the October session, 1830, did he make a special, particular statement covering the operation of the school law as a financial measure. His entry of October, 1829, "Carried forward to school account, \$20,-282.80," refers, not to the condition of the school fund, but to the total of other treasury receipts "carried forward" for the

purpose of a grand total including the receipts of school money for the preceding six months. His report to the General Assembly at the October session, 1830, is of sufficient importance to warrant reproduction just as he presented it—and a careful analysis. It follows:

THE FIRST REPORT.

The following abstract shows the difference in the amount collected from lotteries granted by the state and that from sales of foreign lottery tickets:

Received from managers of lotteries—

From October, 1827, to April 20, 1828.....	\$7177.68*
From April, 1828, to October, 1828.....	5572.13*
From October, 1828, to April, 1829.....	5728.63
From April, 1829, to October, 1829.....	5666.13
From October, 1829, to April, 1830.....	7241.61*
From April, 1830, to October 22, 1830.....	7647.42
	<hr/>
	\$39,033.60*

On sale of foreign lottery tickets—

From October, 1827, to April 30, 1828.....	\$424.97*
From April, 1828, to October, 1828.....	256.05*
From October, 1828, to April, 1829.....	294.15
From April, 1829, to October, 1829.....	211.48
From October, 1829, to April, 1830.....	326.16
From April, 1830, to October 22, 1830.....	270.28*
	<hr/>
	\$1783.09

To dealers in foreign lottery tickets for licenses—

Number and amount of granted by town councils, from October, 1827, to October, 1830, 27 at \$100 each.....	2700.00
	<hr/>
	\$4483.09

The following abstract will show—

First, the amount collected from the passage of the act establishing public schools.

Second, the amount paid for annual appropriations.

Third, interest received from monies invested.

Fourth, the amount paid for said schools.

* Errors.

First, receipts appropriated by law to public schools, viz.:

From January, 1828, to October, 1828.....	\$12,573.78
From October, 1828, to October, 1829.....	13,250.58*
From October, 1829, to October, 1830.....	17,465.21*
	<hr/>
	\$43,289.57*

Second, amount paid for annual appropriations—

April 28, 1828, paid for 91 shares Mechanics Bank in P....	\$5053.53
August 27, 1829, paid for 90 shares Mechanics Bank in P....	4914.00
July 31, 1830, paid for 100 shares Mechanics Bank in P.....	5400.00
	<hr/>
	\$15,367.53

Third, interest received from monies invested—

Dividend, 1829, to July, inclusive.....	\$477.75
January, 1830, to January, inclusive....	318.50
1830, for July do, inclusive.....	273.00
	<hr/>
	\$1069.25

Fourth, the amount paid town treasurers for public schools.
viz.:

From May, 1828, to May, 1829.....	\$10,000.00
From May, 1829, to May, 1830.....	9952.82*
From May, 1830, to October, 1830.....	8417.53*
	<hr/>
	\$28,370.35*

By which it appears that so far from there being a balance unappropriated, derived from the school fund, there is a deficit of \$1008.71 wanting to balance the account of expenses and investments, namely:

*Recapitulation—Receipts as above.....	\$43,289.57
Dividends.....	1069.25
Wanting.....	1008.71
	<hr/>
	\$45,367.53

Expenditures—Investments.....	\$15,367.53
\$10,000, three years.....	30,000.00
	<hr/>
	\$45,367.53

THOMAS G. PITMAN, General Treasurer.

Reason for the Report.—The reason for the making of this statement at the October session appears in the daily newspaper reports of the meetings of the General Assembly in October and November, 1830. When the treasurer's account was first presented to the House of Representatives it was without the abstract of the condition of the school fund. The House refused to receive the report because it did not comply with the law requiring an abstract summary of receipts and payments by counties and a classification of accounts. Subsequently the abstract referring to the school fund was presented. The *American* of November 2 gave a summary of the more important figures, with this comment: "The total deficit from the appropriations of \$10,000 per annum for schools in three years amounts to \$1630. This the interest of the permanent fund will nearly cover. The system, therefore, operated admirably well, and if persevered in will secure to the children of the rising generation all the benefits from schools that can be desired." The deficit stated by the treasurer was \$1008.71. The reporter for the *American* seems to have confused these figures with the \$1632.69 difference between the \$30,000 appropriated and the \$28,367.31 actually paid to town treasurers for the support of schools.

No further action upon the treasurer's report was taken until the last day of the session, when the Speaker reminded the House that the report of the General Treasurer had not been *received*. In the debate that followed it appeared that the House was still firm in its conviction that the report was not in proper form, and stood ready to adhere to its refusal to receive it. On the other hand, it was said that the General Treasurer professed not to understand the law, or its requirements. Members of the House were equally positive that the law was clear, and that the Treasurer was at fault. At this point a peacemaker arose. Mr. Simmons said: "I wrote out the abstract for the school fund, and no doubt if any gentleman will write down what he

wants, the Treasurer will fill it out." Upon the suggestion of the Speaker, while the House was still in doubt, it was voted that the report be received "for printing with the schedules."

It seems clear, therefore, that the report was not carefully drawn; probably it was hastily filled out by the Treasurer. The report was not examined by a committee of the House, and it seems likely that no member of the House gave it careful attention. Consequently glaring errors in the abstract escaped notice, and the newspapers of the day neglected an opportunity to lay bare "a political scandal." The Treasurer, apparently, never verified his figures, for his subsequent reports assumed that the statement for October, 1830, was accurate, and carried forward the errors.

Errors in the Report.—The places of specific error in the treasurer's report have been indicated by asterisks. The amount collected from managers of lotteries from April, 1828, to October, 1828, was \$5784.98; the treasurer omitted an entry of \$212.85, of which amount there are several entries on different dates. From the total collections from October, 1829, to April, 1830, he omitted \$750, recovered by the state's Attorney General from the manager of a lottery. The amount given as collected from October, 1827, to April 30, 1828, is irrelevant; it includes \$3039.66 collected previous to the passage of the school act; for the period subsequently the amount collected was \$4138.02. The total collections from managers of lotteries from January 22, 1828, to October 22, 1830, were \$36,956.79.

The second table presented by the Treasurer is also subject to correction. The fees paid by venders of foreign lottery tickets from April, 1828, to October, 1828, amounted to \$452.19, that is, \$196.14 more than the Treasurer stated. The amount given for the period from April, 1830, to October 22, 1830, is short \$48.43. The first figures, covering the period from October, 1827, to April 30, 1828, need correction by limitation to the period subsequent to January 22, 1828, and

should read \$358.19. The total receipts from venders of foreign lottery tickets were \$1961.68, levied at the rate of one per centum on total sales, as prescribed by an act passed at the January session, 1828, subsequently to the enactment of the school law. The same act authorized towns to license venders of lottery tickets and required the towns to collect from licensees \$100 per year for the benefit of the state. The Treasurer reported 27 such licenses up to the time of his statement.

Foreign Lotteries.—The relevancy of the question which the introduction of the statement suggests had been asked, that is, whether the school act of 1828 carried taxes levied on sales of foreign lottery tickets and on venders thereof to the school appropriation, appears in the language of the act itself. The words used in the first and fifth sections of the school act are these: "All monies that shall be paid into the general treasury by *managers of lotteries* or their agents," while in the eighth section the words used are: "All monies that shall accrue as *aforesaid* from lotteries." It may be held fairly that the word "aforesaid" in the eighth section carries back the language there to previous sections for interpretation, and that a close construction of the words used in the first and fifth sections would exclude from the provisions of the school act venders of foreign lottery tickets on the ground that they were not *managers* of lotteries; nor were they agents in a strictly legal sense. It is worthy of note, too, that the General Assembly received, and its accounting committees approved, reports from the Treasurer which were based upon the distinction indicated.

Other Errors.—Passing to the second part of the treasurer's report, the amount of receipts appropriated to public schools from October, 1828, to October, 1829, is short \$2, and the amount from October, 1829, to October, 1830, is short \$100.50. The following table shows the receipts from lotteries, auctions and dividends, and the total for each fiscal year (as the treasurer determined it), from January 22, 1828, to October 22, 1830:

	Lotteries.	Auctions.	Dividends.	Totals.
Jan. 22, 1828, to April, 1828.	\$4138.02	\$1399.99	.....
April, 1828, to October, 1828.	5784.98	1250.79	.....	\$12,573.78
October, 1828, to April, 1829.	5728.63	805.60	.....
April, 1829, to October, 1829.	5666.13	574.47	\$477.75	13,252.58
October, 1829, to April, 1830.	7991.61	619.13	318.50	
April, 1830, to October, 1830.	7647.42	716.05	273.00	17,565.71
Totals.	\$36,956.79	\$5366.03	\$1069.25	\$43,392.07

The amounts paid for stocks are given accurately, as are the receipts from dividends. The amount paid to town treasurers for public school support from May, 1829, to May, 1830, was \$9949.78; in his abstract the Treasurer has included \$3.04 for postage on public business, which it does not appear was school business. . At any rate, it was not properly charged to the school appropriation.

As a matter of course, the Treasurer's recapitulation, when based upon such faulty statistics, must be erroneous; and it involves a blunder more ridiculous and inexplicable even than any noted heretofore. His statement of "receipts appropriated by law to public schools" included dividends paid on funds invested; and still in his recapitulation of receipts, he adds "dividends, \$1069.25." Furthermore, he omitted from his calculation of receipts the \$5000 appropriated from the treasury in January, 1828, to be invested "immediately or as soon as may be," as the nucleus of a permanent school fund, although he had invested this money and reported the investment as a payment. Specifically, then, the recapitulation of receipts shows three errors: First, the omission of the appropriation of \$5000; second, a discrepancy of \$102.50 from the amount shown by his reports in the Schedules; third, the second introduction of \$1069.25 received as dividends. The recapitulation, when corrected, should read:

Receipts—Appropriation, January, 1828.	\$5000.00
January, 1828, to October, 1830.	43,392.07
Total receipts.	\$48,392.07

Expenditures—Investments	\$15,367.53	
Appropriations	30,000.00	\$45,367.53
		<hr/>
Balance in school fund, uninvested		\$3024.54

The charging of appropriations for public schools at the round amount of \$10,000 per year, when smaller amounts were actually paid to the towns, might be justified on the theory that, as the law made no provision for transferring money forfeited by the towns to any particular account, as for instance, the present law carries such money into the permanent school fund, the money not claimed reverted to the state's general account. The amount involved up to October, 1830, was \$1632.69, which, if retained as part of the school fund, would make the latter \$4657.23. As a matter of fact, several towns received payments of arrearages. Mr. Pitman's successor in office reversed the practice inaugurated by Mr. Pitman, and charged appropriations as the amounts actually paid to the towns.

A Correct Statement.—The school fund account, as of October, 1830, might be stated in this way:

Permanent School Fund—

Appropriation, January, 1828	\$5000.00
Excess of receipts from lotteries and auctions over \$10,000 annually, three years	12,322.82
Dividends on investments	1069.25
	<hr/>
Total	\$18,392.07
Investments, actual expenditures	15,367.53
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Balance in permanent fund, uninvested	\$3024.54
Appropriations not claimed by towns	1632.69
Par value of school fund stock!	14,100.00

Whether intentionally or carelessly, the General Treasurer, by "bookkeeping," had transferred from the school fund the \$5000 originally appropriated for it, less the \$1069.25 earned as dividends, which, through a blunder, he credited twice to receipts. In October, 1831, he made a second abstract, as follows:

Receipts, October, 1830, to October, 1831:		\$18,768.94
Payments—Appropriation.....	\$10,000.00	
100 shares Globe Bank stock.....	5065.00	
Wanting.....	1008.71	16,073.71
Balance.....		\$2695.23

In the year 1830–1831 the payments to towns were actually \$9255.49, that is, \$744.51 short of \$10,000.

Mr. Pitman's last account as treasurer and his last abstract of the condition of the school fund are printed in the Schedules for June, 1832, as follows:

Receipts, October, 1831, to April, 1832.....		\$15,864.64
Payments, 100 shares Globe Bank stock.....	\$5099.17	
100 shares Globe Bank stock.....	5025.00	
To town treasurers.....	2344.27	12,468.44
Balance.....		\$3396.20

The two balances, October, 1831, \$2695.23, and April, 1832, \$3396.20, would make the school fund, uninvested, \$6091.43. The actual condition should be this:

Excess of receipts over appropriations, to October, 1830....	\$3024.54
Actual balance, October, 1831, \$1008.71 plus \$2695.23.....	3703.94
Balance, April, 1832.....	3396.20
Total.....	\$10,124.68

If to \$10,124.68 are added \$1632.69 and \$744.51, that is, \$2377.20, school money not claimed by towns, the balance in the fund would be \$12,501.88. There was in the state treasury on the date of Mr. Pitman's last report only \$1730.23 in *cash*. If Mr. Pitman was intentionally attempting to reduce the school fund to a minimum limit, perhaps he was merely travelling "the easiest way."

Recapitulating, a corrected statement of the operation of the school law as a financial measure from January, 1828, to April, 1832, is as follows:

Receipts.		Payments.	
Jan., 1828, appropriation..	\$5000.00	To towns, 1828..	\$10,000.00
To October, 1828.....	12,573.78	To towns, 1829..	9949.78
To October, 1829.....	13,252.58	To towns, 1830..	8417.53
To October, 1830.....	17,565.71	To towns, 1831..	9255.49
To October, 1831.....	18,768.94	To towns, 1832..	2344.27
To April, 1832:.....	15,864.64		
		Total.....	\$39,967.07
Total receipts.....	\$83,025.65	Investments.....	30,556.70
Payments.....	70,523.77		
		Total payments..	\$70,523.77
Excess of receipts.....	\$12,501.88		

Errors Corrected.—In October, 1832, the new General Treasurer, John Sterne, reported that the anticipated excess of general treasury receipts over payments, \$4010.23, had been invested in stock for the school fund, and that “A particular account of the receipts and expenditures on account of the public schools is omitted at this time, the act to establish them directing it to be made once a year only, to wit, at the May session of the General Assembly.” In May, 1833, he reported: “The receipts since the passage of the act to establish public schools from sources of revenue appropriated for their support, and including the sum of \$5000 set apart by that act out of the money in the treasury for the commencement and foundation of a permanent fund, exceeded, on May 1, 1832, the amount paid for their support and the amount invested for that fund, the sum of \$12,501.88.” No detailed statement accompanies this report; but Mr. Sterne had corrected all of Mr. Pitman’s errors.

Before passing to the story of the permanent school fund under Mr. Sterne’s administration, a word should be said of the remarkable receipts of school revenue for the period from October, 1830, to April, 1832. The increased receipts resulted from an innovation. The older practice had established a tax on lotteries; the new policy permitted the sale for definite sums of money of grants or licenses to conduct lotteries. Under the school laws the proceeds accrued to the support of public schools

or to the increase of the permanent school fund. Consequently the new lotteries were designated public school lotteries. Three were granted in the period. The Providence Journal of April 16, 1832, contained this comment:

“It is well known that this fund derives its chief revenue from lottery grants. The state has for several years received a revenue from domestic lotteries and sales at auction, with which they have extended to all classes in the community the means of obtaining a good education. . . . A grant was made at the last May session, for which \$10,000 has been paid into the state treasury. At the June session a similar application was made and granted on similar terms, and at the January session a third application was made and granted. So that in one year the sale of lottery grants has put into the treasury for the benefit of free schools \$30,000. . . .”

A NEW TREASURER AND A NEW POLICY.

Through his report to the General Assembly at the May session, 1833, General Treasurer John Sterne corrected the erroneous “bookkeeping” of his predecessor, which had reduced the school fund. His reports of October, 1832, and May, 1833, indicate the inauguration of a policy friendly to the accumulation of the permanent school fund. Thus in October, 1832, and in May, 1833, he reported investment for the permanent school fund of all the revenue of the state in excess of probable demands, and in May, 1833, he credited to the school money account interest earned on deposits of state revenue, on the wholesome theory that while the state was indebted to the school fund, treasury balances belonged to the fund and should earn interest for it. His account for May, 1833, follows:

There has been received during the year ending April 29, 1833—

From managers of lotteries.	\$15,418.62
From auctioneers, for duty on sales.	555.50
For dividends on school fund stock.	2121.00
For interest on deposits of state revenue.	158.35
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Making.	\$18,253.47

The payments have been—

For support of schools.	\$9856.40	
For bank stock for permanent school fund. . . .	10,160.83	
For 100 maps of the state, which by law was payable out of the duty of one per cent paid into the treasury on the amount of the scheme of a lottery granted to J. S.	1000.00	21,017.23

The receipts fall short of the payments the sum of. \$2763.76

Then follows his statement of the school fund as of May 1, 1832, showing a balance of \$12,501.88, from which the excess of payments for May, 1833, is deducted, leaving a balance of \$9738.12 due from the state. The treasury balance of even date was \$3975.23.

His report closes with this appraisal of the permanent school fund investments:

The permanent school fund consists of—

282 shares Mechanics Bank, at par, \$50.	\$14,100.00
500 shares, Globe Bank, at par, \$50.	25,000.00
	<hr/>
	\$39,100.00

The cost of stock, that is, the actual investment, was \$40,717.53.

Financial Stress.—The reader who has had the patience to tread the intricacies of the array of figures already presented and who has gleaned from them the facts which indicate the nature of the financial problems with which state treasurers were dealing in the decade beginning with 1828, will find further information in the following comparison of treasury balances and balances due the school fund. The treasury balance in each instance is the cash actually in the Treasurer's strong box or subject to his draft. It should include the balance due the school fund, and, if the state were solvent, it should equal or exceed the latter. The larger balance in each instance is printed in black type; the predominance of black type in the school fund column shows at a glance the financial stress of the

period. After 1831 school money reports were made annually in May, and in the table the school fund balances for October are omitted.

	School.	State.		School.	State.
May, 1828..	\$5484.48	\$9815.60	October, 1828..	\$2520.25	\$11,731.16
May, 1829..	9054.58	8854.05	October, 1829..	909.05	5985.48
May, 1830..	9838.29	7591.78	October, 1830..	4657.23	5115.32
May, 1831..	9546.48	2660.15	October, 1831..	9105.68	6824.11
May, 1832..	12,501.88	5758.43	October, 1832.....		4114.58
May, 1833..	9738.12	3975.23	October, 1833.....		5321.44
May, 1834..	12,894.30	4097.02	October, 1834.....		12,523.56
May, 1835..	6570.80	6155.42	October, 1835.....		11,776.38
May, 1836..	6700.87	7467.79	October, 1836.....		15,248.17
May, 1837..	10,636.90	13,185.24	October, 1837.....		—————

Treasury Empty.—In October, 1837, the General Treasurer reported that the state treasury was empty, and that he had borrowed from the Globe Bank \$2816.92 to meet current demands. After 1837 treasury balances as reported are not true balances; they were more than counter-balanced by loans negotiated by the General Treasurer under statutory authority. The disappearance of the treasury balance in 1837 is explained by increased expenditures, the principal item of which was the cost of construction of a state prison on the site now occupied by the Rhode Island Normal School.

In the table the October balances, generally, are more favorable to the state than are the May balances. So far as school money was concerned, the statements in October showed the fund reduced by payment of the bulk of the amount apportioned to the towns and payable after the preceding June 1. The showing in October is misleading. Unless an investment of funds were made between May and October, the school fund balance should, at least, equal the balance in May. It was entirely wrong to charge payments after May 1 to the school fund accumulated in the previous fiscal year. It will be remembered that the school law required a report on the condition of the school fund annually at the May session, and thus fixed the termination of the fiscal year at the end of April. Balances

remaining in the fund April 30 should be invested for the permanent fund, and payments to towns, beginning June 1, should be met from the revenue of the fiscal year in which they were made, any deficiency of revenue to be met from the general treasury. Treasurer Pitman's practice reversed the process prescribed by law, while his "bookkeeping" tended still further to obscure actual conditions.

The Treasurer's Report.—Treasurer Sterne, in his report to the May session, 1833, informed the General Assembly that the state owed the school fund \$9728.12.* In 1834 a clear statement of the condition of the treasury was followed by a request that the General Assembly instruct him with reference to future procedure. His statement shows receipts for the year from all sources of school revenue amounting to \$13,267.72, and payments of \$10,111.54 to town treasurers, leaving an excess of school revenue for the year of \$3156.18. Then follows this comment:

"It appears from the preceding statements, there is sufficient money now in the treasury to invest the unexpended balance of the school money received during the year, but there would remain only the sum of \$940.84.

"Although that portion of the revenue of the year which is applicable to defray the current expenses has exceeded by about \$600 the revenue derived from the same sources in the year ending in April, 1833, still there is a deficiency of \$3034.39.

Within the first fortnight of the present financial year the demands on the treasury for salaries, pay of the members of the General Assembly and other claims will amount to about \$4500. The receipts during the same time, exclusive of school money, cannot be relied upon to exceed \$2500, which will leave the treasury in such condition, if the balance of the school money of the past year is invested immediately, as the law requires, that a payment of a portion of the demands upon it must be postponed until sufficient revenue of the present year can be collected to pay them.

"The disposable revenue of the state, or that portion of it which is alone applicable to defray current expenses, has not in any year since the establishment of public schools, except

* The amount should be \$9738.12.

the year ending in April, 1833, been sufficient for that purpose. In consequence of which, it has been the practice to supply the deficiency out of the revenue set apart for support of schools, until the sum thus applied to the payment of expenses for which they were not intended amounts, in April, 1833, to \$9728.12, and if the surplus of the past year is not invested, amount now to \$12,884.30*. This practice is not authorized by any existing law; yet the fact of its having so many times met the approbation of and been sanctioned by the General Assembly furnishes just ground of doubt as to which course the General Treasurer ought to pursue. I, therefore, respectfully request the General Assembly to instruct me whether the unexpended balance of the school money received during the year just ended, shall be added to the permanent school fund or applied to the payment of any claim against the state that may be presented. . . ."

At the June session, 1834, the committee on accounts, to which had been referred the Treasurer's report, supplemented its certificate of accuracy with this reference to the Treasurer's statement:

"The committee deem it to be within the range of the duties assigned to them to report to the General Assembly that to meet the ordinary expenses of the state, the General Treasurer has been obliged to use a large amount belonging to the school fund. The committee find that no investment of money belonging to the school fund has been made since 1832; and that on the 30th day of April, 1834, there appears to have been diverted from its appropriate object the sum of \$12,894.30 of the school fund, which has been from time to time, during a period of several years, expended in meeting the ordinary demands upon the treasury. The committee wish it to be distinctly understood that in this matter they attach no blame to any one. The remedy for the evil suggested is in the hands of the legislature, and the application of that remedy ought, in the opinion of your committee, to be promptly made."

The General Assembly Apathetic.—The problem was thus placed squarely before the General Assembly. One of two remedies was available if the General Assembly would change the practice forced upon the Treasurer. It might either order repayment of the balances due the school fund, recouping the general treasury by levying new or increased taxes or by nego-

* The figures should be \$9738.12 and \$12,894.30.

tiating a loan; or it might amend the law governing the accumulation of the permanent school fund. The General Assembly chose neither remedy; it did nothing. In the light of history in subsequent years the General Assembly had been too generous, probably, in drafting the act of 1828, but it was not prepared to amend that law. The provision for an annual distribution of \$10,000 for aid to public schools was within the revenue, but the state was scarcely able to dispense altogether with the revenue specifically set aside for the permanent school fund. Without attempting to palliate the weakness which the General Assemblies of the later portion of the period under review displayed in dealing with this financial problem, one cannot fail to appreciate the generous spirit with which the state undertook in 1828 to provide aid for public schools.

In October, 1834, the General Treasurer again called attention to the condition of the treasury; his tone was more optimistic than earlier in the same year. He wrote:

"The petitioners for the lottery granted at the last January session having neglected to comply with the conditions of the grant, there is not at present any lottery from which a revenue is derived.

"It is estimated that the whole of the revenue of the present financial year appropriated by law for the support of public schools will not exceed \$5500, which will leave a deficiency of \$4500 to be paid out of other money.

"That portion of the revenue of the present year which is applicable to defray the current expenses will so much exceed the revenue derived from the same source of any former year that, with the addition of the balance in the treasury on the 30th of April last, the deficiency in this year's school money can be supplied, the unexpended balance of last year's school money be invested, and, unless the current expenses of the state shall be increased to an extraordinary amount, there will remain in the treasury on the 30th of April, 1835, a balance of about \$3000."

The receipts from lotteries in 1834-5, as predicted by the treasurer, declined, but, as a new licensee for a state lottery was found, \$5000 was realized from this source. School reve-

nues for the year amounted to \$8192.72, leaving a balance of \$1807.28 to be taken from the general treasury to round out the \$10,000 to be apportioned to the towns. The towns received \$9967.94. The treasurer bought 122 shares of Globe Bank stock for the school fund, paying \$6323.50 therefor, and reduced the state's indebtedness to the school fund to \$6570.80. In 1835-6 receipts of school revenue were \$13,626.41, payments for the support of schools were \$9824.34, and for 72 shares of Globe Bank stock, bought as an investment, \$3672. The excess of revenue over payments was \$130.07, and the state's indebtedness was increased that much, standing at \$6700.87. In the following year receipts exceeded expenditures by \$3936.03 making the state's indebtedness \$10,636.90.

The Fund Disappears.—In May, 1837, the treasury balance was \$13,185.24, and the school fund was, therefore, in the treasury, but in October, 1837, the treasury was empty. The uninvested portion of the school fund had been used to liquidate current liabilities of the state, part of which arose from the building of the new state prison.

In 1839 a new General Treasurer, William S. Nichols, reported the purchase of 50 shares of Mechanics Bank stock at a cost of \$2689.17, but that the school revenue for the year 1838-9 still exceeded payments by \$1150.55. He also reported that a careful examination of receipts and expenditures, made at the request of the finance committee, showed a balance of \$14,675.75 due the school fund on April 30, 1838. This balance is \$52.97 in excess of the amount reported by General Treasurer Sterne; the nature of the error in previous reports was not disclosed by Treasurer Nichols, and it does not appear in the Schedules. Treasurer Sterne, who returned to office in 1839, reverted to the \$14,622.78 reported in his earlier statement. The excess of revenue in 1838-9 carried the fund to \$15,826.30, according to Nichols, or \$15,773.33, according to Sterne.

The table on page 344, recapitulating the operation of the school act of 1828 as a financial measure, may be extended to cover the period from 1832 to 1839, as follows:

<i>Receipts.</i>		<i>Payments.</i>	
Excess to 1832.....	\$12,501.88	To towns, 1833.....	\$9,856.40
To May, 1833.....	18,253.47	To towns, 1834.....	10,111.54
To May, 1834.....	13,267.72	To towns, 1835.....	*8,192.72
To May, 1835.....	8,192.72	To towns, 1836.....	9,824.34
To May, 1836.....	13,626.41	To towns, 1837.....	10,111.54
To May, 1837.....	14,047.57	To towns, 1838.....	10,032.06
To May, 1838.....	14,017.94	To towns, 1839.....	10,145.52
To May, 1839.....	13,985.24		
		Total to towns.....	\$68,274.12
Total.....	\$107,892.95	Investments.....	\$22,845.50
Lottery tax remitted....	1,000.00		
		Total payments.....	\$91,119.62
Net.....	\$106,892.95		
Less payments.....	91,119.62		
State's debt.....	\$15,773.33		

*Towns received \$9967.94, the excess being charged to the general treasury.

In the 12 years from 1828 to 1839 the revenue applicable to public schools had amounted to \$177,416.72, of which \$108,241.19 had been paid to towns and \$53,402.20 had been invested in stock for the permanent school fund. In 1839 the permanent fund investment consisted of 332 shares of stock of the Mechanics Bank, par value, \$16,600; and 694 shares of stock of the Globe Bank, par value, \$34,700; total, \$51,300. The state owed the school fund the uninvested balance, amounting to \$15,773.33.

"Conservator of the School Fund."—While it is anticipating the story of the permanent school fund under a new law, and under a treasurer with a distinctly novel theory of finance, it is permissible to round out at this point the administration of John Sterne, which ended in 1840, with the relevant portions of his last report. This showed an excess of revenue in 1839-40 applicable to the permanent school fund of \$3932.79, which brought the indebtedness of the state to the school fund on April 30, 1840, to \$19,706.12.

Throughout his administration John Sterne had been a conscientious conservator of the permanent school fund. On taking office he had rectified the errors of his predecessor. He had credited to the fund every dollar of revenue belonging to it. He had reported to the General Assembly the financial embarrassment produced by a revenue inadequate to meet the current general expenses of the state. He had invested treasury balances for the fund whenever these were available. His was an honorable record. He well deserves the title "Conservator of the School Fund."

A NEW LAW. A NEW TREASURER. A NEW
POLICY.

A fresh epoch in the history of the permanent school fund opens with the election of Stephen Cahoon as General Treasurer in 1840, but its beginnings reach back to an earlier period. In 1836 Congress voted to deposit the surplus revenue of the United States in the treasuries of the several states, subject to recall and repayment upon demand. At the October session in the same year the General Assembly authorized the General Treasurer to receive Rhode Island's allotment of the "public deposits," appointed a commission to loan the money to the state banks at five per cent. interest, and, under the leadership of Thomas Wilson Dorr, then a Representative from Providence, voted that the income from the deposit money should be distributed to the towns of the state in the same ratio as the school money, to be used exclusively for the support of public schools.

Law of 1839.—In 1839 a new school law was enacted, the sections governing the permanent school fund being as follows:

Sec. 1. The annual income of money deposited, or that may be deposited, with this state by the United States in pursuance of "An Act to Regulate Deposits of the Public Money," passed by the Congress of the United States and approved June 23, 1836, shall annually be paid over to the several towns

for the purpose of maintaining public schools, in manner hereafter provided.

Sec. 2. To the money derived from said source shall be annually added enough from any money in the treasury not otherwise specially appropriated, to make up the sum of \$25,000, to be annually paid out for the purpose aforesaid. The money received by the state from managers of lotteries or their agents, or from auctioneers for auction duties accruing to the state, shall be hereafter annually appropriated to pay the debt now due from the general treasury to the permanent school fund, until said debt is paid: After which time the revenue derived from these sources shall be applied to the increase of said fund. . . .

Sec. 26. All general acts heretofore passed relating to the public schools excepting so much of the eighth section of "An Act to Establish Public Schools," passed at the January session, A. D. 1828, which relates to the permanant school fund, as is not inconsistent with this act, are hereby repealed: Provided, that everything done under said act shall be valid, and all things omitted or neglected to be done shall be punished by the same penalties and forfeitures as if this act had not been passed.

Its Interpretation.—Under the act of 1828 the sources of increase of the permanent school fund had been: 1. The excess of revenue from managers of lotteries and auctioneers over \$10,000 annually. 2. Dividends earned on investments of the permanent school fund, except so much of these as might be needed in any year to round out an even \$10,000 of school revenue. Treasurer Sterne had added to the fund, temporarily, portions of the annual apportionment unclaimed by the towns, and also interest on deposits of the state revenue in the period when treasury balances were insufficient to pay the indebtedness of the state to the school fund. The new act made the income from the public deposits a primary source of school revenue, and provided for the repayment of the state's debt to the permanent school fund from the revenue derived from auctions and lotteries, and the application of this revenue thereafter to the increase of the fund. With civic sentiment crystallizing in opposition to lotteries, it seemed unlikely that these would continue for many years longer a prolific source of income; the new Constitution of 1842-3 abolished lotteries. So much of the law as referred to lotteries and auctions is clear;

what disposition had the General Assembly provided for the income from investments of the permanent school fund? This source of revenue was not mentioned specifically in the act of 1839, but it seems reasonably certain that section 26 of that act carried into the new law so much of section 8 of the act of 1828 as provided for the addition of income from the fund to the fund itself. This was the construction placed upon the act of 1839 by Treasurer Sterne, whose statement in 1840 showed: Income from public deposit money, \$18,991.14, to which must be added \$6008.86 from the general treasury to make \$25,000 for apportionment. The permanent school fund earned dividends amounting to \$3591, and the deposited state revenue earned interest amounting to \$446.95, which, less payment of arrears of apportionments, netted \$3932.79 applicable to increasing the permanent school fund, making the state's debt to the latter on April 30, 1840, \$19,706.12. Lotteries yielded \$9000, and auctioneers paid \$682.75 into the treasury, making the amount "appropriated to pay the debt now due from the general treasury to the permanent school fund" \$9682.75. Of this sum the treasurer reported that he had applied \$4181.66 to the payment of current expenses of the state, and that he held the balance \$5501.09 in the treasury, that being all the money on hand except interest on the public deposits. Treasurer Sterne, unable to comply with the law's requirement, reported the fact. It remained for his successor in office to invent a method of *repaying* the state's indebtedness to the school fund with revenue no more adequate—less adequate, indeed—to meet the demands upon the state treasury.

How the State "Repaid" its Debt.—Treasurer Cahoon's first report of the operation of the school act is as follows:

Interest and dividends on public deposits.	\$17,084.27
Interest on deposits of state revenue.	720.13
Dividends on permanent school fund stock.	4303.00
Revenue not otherwise appropriated.	2892.60
	<hr/>
Total school appropriation.	\$25,000.00

Received from managers of lotteries.	\$9000.00
Received from auctioneers for duties.	274.85
<hr/>	
Total.	\$9274.85
Deduct deficit in school revenue.	2892.60
<hr/>	
Balance applicable to debt of state to school fund.	\$6382.25
Debt due from state April 30, 1840.	19,706.12
<hr/>	
Net indebtedness April 30, 1841.	\$13,323.87

It will be noted that the Treasurer added to the interest earned on public deposits, the dividends on stock held for the permanent school fund and interest on deposits of the state revenue, altogether \$5023.13, which should have been credited to increasing the school fund. He reduced the revenue from lotteries and auctions applicable to payment of the debt to the school fund, by the amount taken from the general treasury to round out the annual school appropriation of \$25,000. The reason for this does not appear in his report, but probably he considered the \$2892.60 taken from the general treasury as part of the lottery and auction money. He then charged off the debt due to the school fund the amount received from auctions and lotteries, thus reduced, \$6382.25; but there is nothing to show that \$6382.25, or any other sum, was actually used to pay this debt, or set aside for the school fund, or invested.

Fearful Finance.—The man who saves five dollars per week from his wages by opening a new account on his books, and who finishes the year with \$260 saved but with no more money in hand than at the beginning, would have done only half of what Treasurer Cahoone had accomplished. If the same man had set aside five dollars per week to pay his debts, and had cancelled these merely by transfer of accounts and still had not parted with a penny, he would have paralleled the feat of Treasurer Cahoone—but would have a host of creditors at his doors. As a matter of fact, Treasurer Cahoone had not paid any part

of the state's indebtedness to the school fund, the cancellation of which he began thus systematically in 1841. In the light of this understanding of his altogether novel financial policy, his scruple in deducting from the auction and lottery money the amount taken to make up the school appropriation is inexplicable, and almost as ridiculous a blunder as Treasurer Pitman's double credit of income in 1830. Recapitulating briefly: Treasurer Cahoon had diverted from the school fund \$5023.13 of money by law appropriated to its increase, and he had cancelled \$6382.25 of the debt due the school fund without actual repayment. His dereliction might well have amounted to \$2892.60 more!

The report of 1842 shows a further similar "reduction" in the state's indebtedness to \$8672.77. No doubt the indebtedness would have been cancelled completely within the ensuing year or two had not the treasurer after 1842 made his reports in conformity to an act passed at the June session, 1842, section 3 of which directed that "The General Treasurer shall present with his semi-annual report at every May session, in addition to the statements now or hereinbefore required, a statement of the receipts and expenditures for the whole of the preceding year, classified according to law. He shall also report at every May session the receipts and expenditures on account of schools, and the school fund, under appropriate heads, together with the state and amount of said fund, and how the same is invested. . . ." The Treasurer's report for 1843 contained a statement of receipts and expenditures on account of schools, and of the condition and amount of the permanent school fund, that is, a list of and the par value of stocks held therefor. But in the report there was no mention of receipts and expenditures on account of the school fund. Perhaps the Treasurer interpreted the law with emphasis on the comma after schools, making "and the school fund" a

direct object of "report," instead of object of the preposition "of."

The subsequent annual reports of Treasurer Cahoone, from 1844 to 1851, were similar in form to the report for 1843. The permanent school fund appeared in each report as consisting of bank stock valued at \$51,300. Each annual report was "audited" and approved by a committee of the General Assembly.

An Honest Man, Nevertheless. — In May, 1851, Mr. Cahoone closed his final report as General Treasurer with this statement:

"The balance in the treasury on the 23rd ultimo, as above stated, appears to be but \$2611.92, when in fact there was in the treasury \$8067.31, which last-mentioned sum I am ready to pay to my successor. My health for some months past has been so poor that I have not been able to make that thorough search to discover the error that I otherwise would have done. It is confidently believed that the error will be detected when my account shall be audited, and that it will be found to have originated in inadvertant omission to enter credits to the amount of the error."

Under date of May 31, 1851, the auditing committee reported to the January session, 1852, that it was unable to detect the error, and added:

"The committee deem it to be nothing more than an act of simple justice to say that notwithstanding the very advanced age of Mr. Cahoone, the late General Treasurer, and the severe indisposition he labored under for nearly the whole of the past year, the duties of the office have been well discharged, and with the same stern and unwavering fidelity that characterized all his official conduct during the ten consecutive years he held the office.

"The committee consider it to be not altogether out of place for them, now and here, to urge upon the General Assembly the indispensable necessity there is for the creation of the office of auditor of accounts. The great security the state would derive from the services of such an officer, not only against frauds but against unintentional errors and mistakes of every kind, must be so obvious to every business man as to render an argument in favor of establishing such an office altogether unnecessary.

"We have now presented a striking and impressive instance directly in point. If Stephen Cahoone, the late General Treasurer, had not been a man of tried and acknowledged integrity, he might have appropriated to his own use the large amount of money found in the treasury over and above the cash balance his accounts exhibited, without the fact, in all probability, ever coming to the knowledge of at least this General Assembly."

Mr. Cahoone's successor in office received \$8067.31 from the outgoing treasurer, and the legislative record in the Schedules is closed apparently with the auditing committee's commendation of Treasurer Cahoone. The integrity and honesty of the latter never were seriously questioned. There were, however, irregularities in his accounts, and he had not dealt with the school fund in a manner to warrant approval.

AN INVESTIGATION OFF THE RECORD.

The following resolution appears in the Schedules for the October session, 1851:

"The House of Representatives having learned information that a committee appointed by the Honorable Senate at the last June session to make certain examinations in relation to the General Treasurer's office, has reported, among other things, that there has been misapplication of the funds of the state to a very large amount, and the House not being aware of any misapplication of the public money; therefore,

"Resolved, That the Honorable Senate be respectfully requested to send said report to the House, in order that the same may be read for the information of the members previous to the printing of the same."

There is in the Schedules no further mention of the report referred to. In the Manufacturers and Farmers Journal for November 1, 1851, it was stated that the report was received from the Senate and read in the House. It was then moved that the House have the report printed, and the motion was debated. Friends of Mr. Cahoone opposed the motion on the ground that his integrity was attacked by insinuation. The Senate was criticised for undertaking an investigation of the

treasury without concurrence by the House. The House was Whig and the Senate was Democratic, and the action of the Senate was interpreted as an attempt to reopen the controversies attending the Dorr war. At the close of the debate in the House the motion was withdrawn, and the report was returned to the Senate on the same day, October 31, 1851, the last day of the October session.

In the Senate Journal, under date of October 31, 1851, this entry appears: "Report in part of committee on finance received and consideration thereof continued to January session, 1852. Subsequently said vote became rescinded and it was voted to have 500 copies printed and distributed among the members."

A Report that Cannot be Found.—No copy of the Senate committee's report is known to exist. The Manufacturers and Farmers Journal of later date commented upon and severely condemned the report, which "*we have seen,*" as a political expedient of the Democrats. From the Journal article it appears that the report dealt principally with Mr. Cahoone's administration of the school money and charged him with misapplying \$82,487.96, which should have been credited to the permanent school fund. The Journal placed responsibility for this irregularity, *which it did not admit was an irregularity*, upon the General Assembly, which it then excused from blame because by using money in the treasury the necessity for levying additional taxes had been avoided. In its zealous defence of the Whigs the newspaper declared that subsequent action of the General Assembly had, in fact, although without direct and explicit resolution, repealed and nullified the provisions of the school law directing accumulation of the school fund; that is, that when appropriations exceeded the general treasury balance, law sanctioned payment of appropriations from any money in the treasury. Modern theories of public finance make appropriations charges only upon money not otherwise appropriated.

The Journal reduced the error in accounting to \$80,385.76, by pointing out that a difference of \$2102.20 in the statement of the value of the stock held for the permanent school fund arose from the practice of listing the stock at its par value, \$51,300, instead of the actual cost, which had been \$53,402.20.

Further indication of the contents of the committee report may be gleaned from a later report of the same committee made to the Senate at the January session, 1852, the same which received the report of an auditing committee exonerating and commending Treasurer Cahoon. The later report was printed as a separate Senate document, and does not appear in the Schedules. A copy of it is in the Rhode Island State Library. The relevant portions are as follows, quotation being liberal, because the report sets forth facts which explain the problems of the period, and which could not fail to influence the action of the General Treasurer and the General Assembly:

"Since the report by them made at the last October session of the General Assembly your committee's investigation of the affairs of the treasury has been chiefly limited to the ascertaining and preparing a detailed statement of the expenditures, ordinary and extraordinary, of the State from Oct. 1, 1841, to the said session of June, 1851. . . .

"The Honorable Senate does not require to be informed by the committee that the reports and accounts of the General Treasurer annually undergo the scrutiny of a committee of the General Assembly called the committee on audit, and, having once passed such an ordeal, might safely be deemed correct and incapable of containing any error, especially one of such magnitude as \$5000 or \$6000. And yet, the committee, in the preparation of said tabular statement, did detect a number of errors that had obviously, up to that time, escaped observation or remark. But the greatest embarrassment has been experienced from a want of uniformity in the classification, form and order in which the accounts and reports have been annually and semi-annually made up and submitted to the General Assembly; it is believed that no two of them are in those respects alike. . . .

"Another and very serious difficulty with which the committee, in the investigation of some portion of the extraordinary expenses of the state, have been met, is the absence from the office of the Treasurer and the Secretary of State of most of

the vouchers, or documents used as such, in proof of the great bulk of said expenses, termed by the political party then in power 'insurrectionary' expenses, and which occurred in the years 1842 and 1843.

"At a special session of the General Assembly in April, 1842, a Governor's council . . . was appointed to advise and consult with Governor King in relation to state affairs, and to continue in their offices until the further order of the General Assembly, and that by and with the advice of such, his council, he, the Governor, might draw from the treasury such sums as he might require for the use of the state. . . . About \$56,000 were drawn on orders of Governor King alone and supported by no sort of vouchers. . . . By an act of the June session, 1842, Messrs. . . . were appointed a board of commissioners 'to receive, examine and audit all the claims against the state that have occurred by reason of the recent insurrection, other than for military services.' . . . Payment was made by the orders of the commissioners themselves on the General Treasury in favor of the claimants individually. . . . All that the public, after the lapse of about ten years, is permitted to know . . . is that the state is indebted to the public deposit fund for these extraordinary expenditures . . . the extraordinary sum (for Rhode Island) of over \$194,000, and during the same period of time, has, in addition thereto, misapplied about \$80,000 rightfully belonging to the permanent school fund of the state. . . .

"The committee have before said that they had detected some errors in the accounts and reports of the General Treasurer, that probably had escaped all previous notice; they do not, however, mean to be understood as asserting positively that they have even now discovered the precise cause of there being in the treasury such a sum as over \$5000 of which the Treasurer should be entirely ignorant and not know the time when or the source whence the same had been received, but will state such facts as have come to their knowledge from the investigation they have made, from which the committee, as they think, justly infer that errors have been committed in the treasury account of equal, if not greater, amount than that of the above-mentioned unexplained surplus. . . ."

The report continued with an analysis of certain irregular entries in the reports of the State Treasurer, which showed careless bookkeeping, at any rate. Accompanying the report was a table of receipts and expenditures for the period from 1841 to 1851, inclusive.

The "insurrection" referred to in the report was the Dorr war. Rhode Island from 1663 to 1843 was governed under a royal charter granted by Charles II. of England. On May 4, 1776, the General Assembly formally renounced allegiance to Great Britain. In 1795 the General Assembly rejected a memorial for a state constitution, and propositions relative to calling a constitutional convention failed of adoption in 1797 and 1799. The freemen of the state in 1821 and 1822 rejected propositions to appoint delegates to a constitutional convention, and in 1824 rejected a constitution drafted in a convention authorized by the General Assembly. A convention in 1834 failed to complete its work. In March, 1842, the freemen rejected the "Landholders' Constitution," drafted by a convention authorized by the General Assembly. At a mass meeting in Providence on May 5, 1841, the people of the state directed the calling of a convention, which met in the State House, framed and submitted to the people, freemen and non-freemen, the "People's Constitution." The vote was favorable, and Thomas Wilson Dorr was elected Governor under the People's Constitution. The Charter Government suppressed, without bloodshed, Dorr's attempt to exercise the powers of his office as an insurrection against the authority of the state. In November, 1842, the freemen ratified the present Constitution of the state, adopted in convention at East Greenwich. The Constitution of 1842, still in force, though many times amended, contains this provision safeguarding the permanent school fund:

Article XII, Section 2. "The money which now is or which may hereafter be appropriated by law for the establishment of a permanent fund for the support of public schools, shall be securely invested, and remain a perpetual fund for that purpose.

Section 4. "The General Assembly shall make all necessary provisions by law for carrying this article into effect. They shall not divert said money or fund from the aforesaid uses, nor borrow, appropriate or use the same, or any part thereof, for any other purpose, under any pretence whatsoever."

The Constitution, *between friends*, had not prevented the General Assembly from spending and the General Treasurer from transferring to the general treasury account money appropriated for the permanent school fund, but not actually invested in it!

An Analysis.—Returning to the two reports of the finance committee of the Senate, and the Journal's comment upon one of them, the fact of greatest significance for the permanent school fund is the committee's charge that about \$80,000 rightfully belonging to the permanent school fund had been misapplied. The exact figure, \$82,487.96, or as corrected by the Journal, \$80,385.76, furnishes a key to the information on which the accusation was based. Receipts of revenue from lotteries, auctions, dividends on school fund stocks and interest on deposits of state revenue, from 1841 to 1851, total exactly \$80,385.76, the corrected committee figure, as follows:

	Lotteries.	Auctions.	Dividends.	Interest.	Total.
1841.....	\$9000.00	\$274.85	\$4303.00	\$720.13	\$14,297.98
1842.....	9000.00	180.15	3844.00	320.00	13,344.15
1843.....	9000.00	52.47	3078.00	100.00	12,230.47
1844.....	6750.00	34.92	2565.00	333.60	9680.52
1845.....	.....	101.99	2482.00	64.08	2648.07
1846.....	.....	965.30	2986.50	.....	3950.80
1847.....	.....	1785.06	3167.00	276.48	5228.54
1848.....	.....	1837.30	3202.50	.....	5039.80
1849.....	.....	1254.92	3244.00	.....	4498.92
1850.....	.....	1234.26	3334.50	.....	4568.76
1851.....	.....	1157.93	3591.00	148.82	4897.78
Total.....	\$33,750.00	\$8878.15	\$35,797.50	\$1960.11	\$80,385.76

Analysis of Treasurer Cahoone's earliest report, that for 1841, has demonstrated that he applied no part of the school revenue appropriated to the school fund to that purpose. His report for 1842 was similar in character, and from 1843 to 1851 he reported the permanent school fund as consisting of \$51,300 worth of stock, without crediting to it any increase. The finance committee was justified, therefore, in charging Treasurer Cahoone

with misapplying the school fund revenue, and, if the law had remained without change from 1841 to 1851, the amount of the misapplication by Treasurer Cahoon was stated accurately.

THE STATE'S UNACKNOWLEDGED DEBT TO THE FUND.

The law had been changed, however, and, besides that, the committee report was not a complete statement of the state's indebtedness to the permanent school fund in 1851.

With the purpose of drafting an accurate statement of the state's indebtedness to the permanent school fund in 1851, it is necessary to go back to Treasurer Sterne's last report, that for 1840. The state's debt for the fiscal year ending April 30, 1839, had been \$15,773.33. The school law of 1839 provided for the payment of this debt from the revenue derived from auctions and lotteries, and the application of the same revenue in subsequent years to the increase of the fund. Actually the law of 1839 cancelled the debt of \$15,773.33—not immediately upon the passage of the act, but when the new revenue appropriated to the purpose equalled the old debt. The cancellation was not, however, a repudiation, because the General Assembly applied to the school fund the entire revenue from lotteries and auctions, undiminished, as previously, by a charge of \$10,000 for the support of public schools. That is, practically, a new source of revenue was ordered applied to liquidation of the debt.

The debt may be ignored in this calculation, because the time of cancellation is not material. Practically, therefore, a fresh school fund account may be opened for 1839, with the state's indebtedness zero and \$51,300 worth of stock held as an investment. With such a base it is not necessary to distinguish between revenue applicable to pay an outstanding debt and revenue applicable to increase of the fund, all going for the latter purpose. Therefore, all the revenue from auctions,

lotteries, dividends and interest belongs to the permanent school fund, and the \$3932.79 applicable to increase, and \$9682.75 applicable to payment of the debt, as distinguished by Treasurer Sterne, combined, make the state's indebtedness on April 30, 1840, \$13,615.54. As shown by the table*, the additions for five following years are \$14,297.98 for 1841, \$13,344.15 for 1842, \$12,230.47 for 1843, \$9680.52 for 1844, and \$2648.07 for 1845, making the state's indebtedness to the permanent school fund \$65,816.73 on April 30, 1845.

The school act of June, 1845, section 2, provided: "For the encouragement and maintenance of public schools in the several towns and cities of the state, in the manner hereinafter prescribed, the sum of \$25,000 is hereby annually appropriated out of the *annual avails* of the school fund, and of the money deposited with the state by the United States, and of other money not otherwise appropriated. . . ." This was the Barnard act; it was framed, no doubt, to accord with the contemporaneous treasury practice. Henry Barnard, apparently, did not investigate the law governing the permanent school fund; neither did the Senate's finance committee, nor the Treasurers who succeeded Stephen Cahoone, as will appear later. The plain intent of the school law of 1845 was to turn the dividends on school fund stock and interest on the state revenue, from the school fund into the appropriation for the support of public schools. Treasurer Cahoone's practice in this respect was not erroneous after 1845.

The school act of 1845 provided also, in section 27, that "all general acts and resolutions heretofore passed relating to public schools . . . are hereby repealed," and, in section 28, that "this act shall not take effect till after the next session of the General Assembly (October, 1845), and in the meantime the existing laws relative to public schools shall continue in force." These sections repealed the school law of 1839, under which receipts from auctions and lotteries accrued to the permanent

*Page 364.

school fund. After October, 1845, therefore, there was absolutely no provision in the law for the increase of the permanent school fund. To the debt already accumulated should be added, however, receipts of all classes of school fund money from May, 1845, to October, 1845, as follows: Dividends, \$1365.50; auctions, \$289.92; total, \$1655.42, making the state's debt to the school fund \$67,472.15, on October 1, 1845. Stephen Cahoone's misapplication of school fund revenue amounted to \$53,856.61. The unacknowledged indebtedness of the state was in part liquidated by Mr. Cahoone's successors in office.

ERRORS THAT FAVORED THE SCHOOL FUND.

The school act of 1851, section 2, provided that "The sum of \$35,000 shall annually be paid out of the income of the school fund, deposits of surplus revenue and other money in the general treasury, for the support of public schools . . ." thus continuing the disposition of school fund dividends made by the act of 1845. Otherwise it did not mention the permanent school fund. The report of the Senate finance committee, presented in the same year and already discussed, had an effect as striking almost as the irregularities which it had disclosed. The new General Treasurer, Edwin Wilbur, renewed the practice of carrying an account with the permanent school fund and of adding to it—although there was, in 1851 and thereafter until 1857, *no law setting apart any portion of the state revenue for the purpose*, except an act passed in 1848 directing the General Treasurer to transfer to the permanent school fund the share in the school money of any town which failed to appropriate the amount required by law.

Treasurer Wilbur in 1852, 1853 and 1854 credited to the permanent school fund \$16,094.48, derived from interest on deposits of the revenue, dividends on permanent school fund stock, auctions, interest on deposits of the revenue which he was setting apart for the fund, and the sale of a right to buy stock

issued as a dividend on stock already held. He purchased 194 shares of the Bank of North America, at a cost of \$10,086.38, leaving \$6008.10 due the school fund, according to his account, of which \$5987.56 was deposited as a separate account and \$20.54 was due from the treasury.

The school act of 1854 appropriated \$50,000 for the support of public schools, without specifying the sources of revenue; but it did not, as a repealing act, revive any earlier act disposing of the earlier sources of school fund revenue.

Samuel B. Vernon, who succeeded Edwin Wilbur as General Treasurer in 1854, likewise administered the school fund in accordance with *custom rather than law*. He reported the condition of the permanent fund in 1855 as follows: Total receipts to April 30, 1854, \$16,094.48; less \$113.70 and interest, \$5.99, an item twice credited, leaving \$15,974.79; dividends \$4270, interest on deposited revenue \$970, auctions \$842.67, interest on money deposited for school fund \$160; total increase for year \$6242.67. He deposited \$6082.67 to the credit of the fund, which was then indebted \$99.15 to the state. In May, 1856, Samuel A. Parker, as Treasurer, reported the permanent school fund as follows:

694 shares of Globe Bank, Providence.	\$34,700.00
332 shares of Mechanics Bank, Providence.	16,600.00
434 shares of Bank of North America, Providence.	22,594.38
<hr/>	
Total.	\$73,894.38
Due from permanent school fund.	376.92
<hr/>	
Net.	\$73,517.46

The invested fund had been increased by the purchase of 240 shares of stock of National Bank of North America, costing \$12,508.00.

The movement inaugurated by Treasurer Wilbur and continued four years had carried to the fund, therefore, \$22,594.38 of money not appropriated to it by law. The movement had

stopped, temporarily, for the Schedules show no change in the school fund report until 1859. If the amount thus credited without law be treated as a payment and deducted from the earlier indebtedness, \$67,472.15, the state on April 30, 1856, still owed the permanent school fund \$44,877.77.

THE FOUNDATION OF THE PRESENT LAW.

The Revised Statutes of Rhode Island, 1857, in effect July 1, 1857, contained a chapter entitled "Of the Permanent School Fund," which is the basis of the present law. It follows :

Section 1. The General Treasurer, with the advice of the Governor, shall have full power to regulate the custody and safe-keeping of the fund now constituting the permanent fund for the support of public schools, and to keep the same securely invested in the capital stock of some safe and responsible bank or banks within this State.*

Section 2. The money that shall be paid into the state treasury by auctioneers for duties accruing to the use of the state, is hereby appropriated, and the same shall annually be added to said school fund for the permanent increase thereof.†

Section 3. Whenever any money appropriated to any town from the state treasury for the support of public schools therein shall have been forfeited by said town, the same shall be added to said school fund and shall forever remain a part thereof.‡

Section 4. The General Treasurer, with the advice of the Governor, shall, from time to time, securely invest all sums of money hereby directed to be added to said fund in the capital stock of some safe and responsible bank or banks within this State.§

Section 5. The income arising from said fund shall annually be appropriated for the support of public schools in the several towns.¶

The Revised Statutes thus restored to the permanent school fund, as a source of increase, the annual revenue derived from auction duties; this and forfeitures were the only sources of

* This provision is similar to the Act of 1828. The law now permits investment in town or city bonds.

† Same in Acts of 1828 and 1839.

‡ Act of 1848.

§ Act of 1828.

¶ Acts of 1845, 1851.

increase provided by law. Nevertheless, in 1859, Treasurer Parker reported the state's indebtedness to the permanent school fund as follows: Interest on stocks, \$11,434.50; auction duties, \$4386.75; interest on revenue, \$211.69; total, \$16,032.94; less overdraft in previous report, \$376.92; net indebtedness, \$15,656.02.

Of this amount only \$3165.34, that is \$4386.75 received from auctioneers, less \$1221.41 paid by auctioneers previous to July 1, 1857, legally belonged to the fund; and the state by the act of its Treasurer without sanction of law, thus repaid \$12,490.68 of its unacknowledged debt, reducing the latter to \$32,387.09. Thereafter the Treasurer credited to the increase of the fund only the revenue derived from auctions, which was strictly in compliance with the Revised Statutes.

THE GREAT INCREASE IN 1859.

In January, 1859, the State Auditor in his report said: "And they (the people) should not, under any circumstances likely to occur, hereafter allow the public deposit fund, which has been by law for more than 20 years, dedicated to the high objects of public education, to be touched for any other purpose than the one for which it was so long since set apart. And, in order to make assurance doubly sure, that this money shall hereafter be used only for educational purposes, I see no reason why the remaining portions of the deposit fund should not be, at once and forever, transferred to and made a part of the public school fund, which no party in power would ever dare to touch for any other purpose than the high and almost sacred one to which it is specially devoted."

At the January session, 1859, it was enacted by the General Assembly, after thorough consideration and debate, as follows:

Section 1. The remaining portions of the deposit fund received by this state from the United States by virtue of the act of Congress approved June 23, 1836, is hereby transferred

to and shall constitute a part of the permanent fund for the support of public schools in this state: Provided, however, that the same, or any part thereof, may be withdrawn from said permanent fund, whenever called for by the Secretary of the Treasury of the United States pursuant to the act of Congress aforesaid."

Thus in the final disposition of the deposit fund Dorr prevailed. The "remaining portions of the deposit fund" amounted to \$155,541.27. In May, 1859, the permanent school fund was reported as consisting of:

694 shares of Globe Bank, Providence.....	\$34,700.00
332 shares of Mechanics Bank, Providence.....	16,600.00
434 shares of Bank of North America, Providence.....	22,594.38
Public deposit money:	
1 bond of the city of Providence.....	32,112.60
1 bond of the city of Newport.....	5800.00
1306 shares of Globe Bank, Providence.....	66,308.19
256 shares of American Bank, Providence.....	13,101.04
30 shares of Arcade Bank, Providence.....	1534.25
732 shares of Bank of North America, Providence.....	36,695.19
<hr/>	
Total.....	\$229,435.65
Money awaiting investment.....	15,656.02
<hr/>	
Total.....	\$245,091.67

THIS TRANSFER WAS NOT AN APPROPRIATION.

At the January session, 1860, the General Assembly resolved: "That the sum of \$11,191.80, being the balance on hand in the state treasury, is hereby transferred to and shall constitute a part of the permanent fund for the support of public schools in this state, to be invested and regulated by the commissioners of the deposit fund." The resolution originated in the House of Representatives, which voted to transfer \$9786.24 to the fund. The Senate increased the amount to \$11,191.80, and the House then concurred.

The treasurer in May, 1860, reported the invested permanent school fund as follows:

1 bond of the city of Newport.	\$4800.00
2000 shares of Globe Bank, Providence.	101,008.19
332 shares of Mechanics Bank, Providence.	16,600.00
1166 shares of Bank of North America, Providence.	59,289.57
30 shares of Arcade Bank, Providence.	1534.25
813 shares of Bank of Commerce, Providence.	42,935.24
366 shares of American Bank, Providence.	18,932.87
Total.	<hr/> \$245,100.12

Comparison with the statement for May, 1859, shows that the city of Providence bond for \$32,102.60 no longer was listed, and that Newport's bond was reduced \$1000. Otherwise, entries of bank stocks were consolidated, the number of shares of American Bank increased 110, and Bank of Commerce appeared for the first time in the list with 813 shares. The investment in city bonds, permitted with the deposit money, was being transferred to bank stocks, in compliance with law governing the permanent school fund.

The statement of activity of the fund shows the same facts disclosed by the comparison. It is:

Balance April 30, 1859.	\$15,656.02	
City of Providence, bond.	32,102.60	
City of Newport, payment on bond.	1000.00	
Auctioneers.	1021.09	\$49,779.71
813 shares of Bank of Commerce.	42,935.24	
110 shares of American Bank.	5831.83	48,767.07
Balance subject to investment.		<hr/> \$1012.64

If the treasurer had transferred \$11,191.80 to the permanent school fund, he had used it merely to reduce the state's outstanding acknowledged indebtedness. Consequently the \$11,191.80 did not reduce the state's accumulated, unacknowledged indebtedness, which still stood at \$32,387.09. The General Assembly's transfer of the treasury balance had been construed as an order to apply the money in the treasury to the state's debt; *not as a fresh appropriation*. The construction is perfectly legitimate. There is no item in the record corresponding to the \$11,191.80 ordered transferred; but the state Treasurer

had invested all money due the fund (as his accounts ran), except current revenue from auctions.

Though the permanent school fund gave promise in 1860 of settling down, after so romantic a past, into the dull monotony of steady increase according to law, such was not its lot. Since 1860 the record shows no diversion from the fund of the revenue from auctions appropriated to its increase. Still, the fund as reported in 1917, amounted to only \$248,138.84, as contrasted with \$246,112.76 in 1860, a gain of only \$2026.08 in 57 years.

DULL, MONOTONOUS INCREASE RELIEVED.

The permanent school fund in 1860 consisted of stocks and bonds valued at \$245,100.12, and \$1012.64 of uninvested money. The city of Newport redeemed its bond in two more installments, reducing the invested fund to \$240,300.12 in 1863, and, with \$3323.24 received from auctioneers, increasing the uninvested fund to \$9135.88. The Treasurer purchased 180 shares of American Bank stock at a cost of \$9726.25, the invested fund standing at \$250,026.37 in 1864, with \$569.19 uninvested, auctions having netted \$1159.56. The reorganization of the banking system under the National Banking Act was shown in the listing of banks as national banks; in the process the Arcade Bank became the Rhode Island National Bank.

A Defaulter.—For 1867 no Treasurer's report appears in the Schedules. Early in 1868 the treasurer was found to be a defaulter to the extent of \$4082.62; he resigned and ex-Treasurer Parker was requested to return to the office, which he held thereafter until his death in 1872. From the records, it is possible to construct a treasury statement for 1867, from which it appears that the invested permanent school fund was \$253,966.37, and that \$1980.31 awaited investment. The defaulting Treasurer had purchased for the fund a Rhode Island state bond for \$4000, paying \$3940 therefor. One need not linger to consider the ethical and equitable aspects of the conduct of a

trustee who borrows from a trust fund on his own note or bond and uses the trust money for his own purposes; in the particular instance appeal lies to the law of the state, which permitted investment only in bank stocks, and to the Constitution, which in unmistakable terms forbade the General Assembly to "divert said money or fund from the aforesaid uses," or "to borrow, appropriate or use the same, or any part thereof for any other purpose, under any pretence whatsoever." The conduct of the Treasurer was clearly illegal and unconstitutional; it had an ultimate consequence that was reprehensible. When the state bond disappeared from the investments list of the permanent school fund, presumably by payment and redemption, in 1871, the proceeds of the sale of the bond were not credited to the permanent school fund, which was thus mulcted \$3940. Adding this amount to the outstanding unacknowledged indebtedness of the state to the permanent school fund, the latter became \$36,327.09 in 1871, at which figure it stands.

An Error of \$10,000.—In 1868 seven shares of the National Exchange Bank of Newport were purchased at a cost of \$350, the first and only investment in stock of a bank outside of Providence. The invested fund was \$254,316.37, and \$4038.24 awaited investment. After the disappearance of the state bond, already mentioned, the invested fund was reported in 1871 as \$250,376.37, and at the same figure without change until 1876, when it dropped, *without explanation*, to \$240,376.37. A careful examination of the annual reports discloses that in 1872 the value of 1166 shares of National Bank of North America was given as \$59,289.57, and that in 1873 the same stock was quoted at \$50,289.57, with no change in the total value of stocks held to correspond with the reduction. In 1874 the value of 332 shares of Mechanics Bank was reduced \$1000, still without change in the list total. Two years later the error in addition (*or was it subtraction?*) was corrected, and the total given as \$240,376.37. On the books, the fund had lost \$10,000.

A Prophecy.—In May, 1874, the State Auditor, in his report to the General Assembly, made this comment on the permanent school fund:

“It is a question, or subject matter, deserving the attention of your honorable body, whether the best interests of the state, pecuniarily considered would be enhanced by repealing all laws having reference to any further reservation of the sum annually received from auctioneers to be added to this fund. The sum now appropriated annually is nearly five times as large as the accumulated dividends on this fund, and no good reason seems to now exist for a continuance of this practice or policy. With our present state debt, good financial policy would seem to dictate that it would be prudent and economical to dispose of assets and investments of this nature, reducing our indebtedness, and at the same time relieving our people of a seeming liability of being sufferers in a monetary crisis that may disturb our financial peace at some future date.”

The recommendation was not adopted. And yet it ventured a prophecy destined to be realized, at least in part, within the next decade. The permanent school fund was doomed to suffer materially as the fruition of a financial panic.

The Sprague Failure.—The panic of 1873 produced a catastrophe in Rhode Island through the failure of the A. & W. Sprague Company. The permanent school fund suffered. In April, 1877, the Globe National Bank, under orders of the Comptroller of the Currency, reduced its capital stock one-half because of its holdings of “Sprague paper,” then listed as worth 25 per centum of its face. Although the 2000 shares of stock held for the school fund were listed as 1000 thereafter, *no change in valuation was made*. Treasurers subsequent to John Sterne, and all auditors up to this period, carried the school fund list as a cost account, without regard to par or market value. In 1881 the Comptroller ruled that “Sprague paper” was worthless, and could not be carried by national banks as an asset. The Globe Bank was compelled to assess its shareholders \$15 per share, the state’s assessment being \$15,000. This, with interest, was paid eventually out of the uninvested school fund

money, and in the accounting transfer was made from the uninvested to the invested fund. In 1882 1000 shares of Globe Bank stock stood as costing \$15,000 more than the 2000 shares held in 1876! The total invested fund was given as \$255,509.86, and the uninvested fund, which in 1881 was \$26,573.54, was reduced accordingly, though receipts from auctioneers raised it to \$13,399.50.

In 1884 the state made its last investment in bank stock for the fund, buying 100 shares of National Bank of North America, \$6750; 26 shares of American National Bank, \$1410.50; 142 shares of Merchants National Bank, \$9660; total, \$17,820.50. The invested fund was listed as \$273,330.36 in 1885, erroneously as \$173,330.36 in 1886, but as \$273,330.36 thereafter until 1896, when a loss of 50 cents appeared. In 1899 high-water mark was reached, when the invested fund was reported as \$293,262.36, the investments then including one bond of the town of Warren valued at \$19,932.50. The uninvested balance was \$1926.60. In 1899 the National Bank of Commerce reduced its capital stock one-half, the state's holding dropping from 813 to 406 shares—without change in the reported value.

The fictitious value given the fund may be appreciated more clearly when it is remembered that 1400 shares of stock had been lost in the period from 1860 to 1900. Further relief from the dull monotony of steady increase had been administered through the investment in a Rhode Island state bond, through the \$10,000 charged off seemingly through erroneous accounting, and through the \$15,000 paid as an assessment on Globe Bank stock. A more drastic remedy was soon to be applied.

THE PROCESS OF REINVESTMENT.

When, in 1859, the deposit fund was transferred to the school fund, municipal bonds were redeemed and the proceeds invested in bank stocks, in compliance with the law, which at that time required investment exclusively in the capital stock of banks

within the state. Two generations passed before this policy was reversed, although the law as early as 1876 permitted investment in United States or state bonds, or city or town notes. The General Assembly in 1876 authorized a change by passing the following act:

“The board of commissioners of sinking funds are hereby authorized, in their discretion, from time to time, to sell the national bank stocks in which the school fund of the state is now invested and to invest the sums received from such sale in bonds of the United States, or the bonds of any New England state, or in interest bearing notes of any city or town in this state; and said board shall deposit any sum in their hands awaiting investment in some national bank or trust company in the city of Providence, and it shall be the duty of said board to report to the General Assembly at its January session their doings under the provisions of this act.”

The commissioners of sinking funds took no action. It will be noticed that the act applied exclusively to so much of the school fund as was already invested; in the purchase of new securities for investment the General Treasurer and Governor were limited to bank stocks.

Action Urged.—Governor Alfred H. Littlefield, in his message to the General Assembly in 1881, reviewed briefly the history of the school fund in connection with the Globe Bank and made recommendations as follows:

“The first investment by the state in stock of the original Globe Bank was made as early as 1831, when 100 shares were purchased, and subsequent investments increased the amount to 2000 shares. On account of losses by investment in ‘Sprague paper,’ so called, the capital stock of the bank was, in April, 1877, reduced one-half, and the number of shares held by the state was consequently reduced to 1000. In the reduced capital of the bank the Sprague indebtedness was allowed to count as worth 25 per cent., but in compliance with a recent order of the Comptroller of the Currency, the entire Sprague paper has been charged off, and to meet the deficiency an assessment of \$15 per share has been ordered, making the amount due from the state \$15,000. This still remains unpaid, there being no authority for its payment from the treasury, and the commissioners of sinking funds deeming it advisable to refer the matter to the

General Assembly before ordering a sale of any of the stock to meet the assessment.

"The statute provides that the General Treasurer, with the advice of the Governor, shall have full power to regulate the custody and safe keeping of the permanent school fund, and to keep the same securely invested in the capital stock of some safe and responsible bank or banks within the state. He is also required to invest the accumulations of the fund in a similar manner. By a resolution passed at the January session, 1876, the commissioners of sinking funds were authorized, in their discretion, from time to time, to sell the national bank stocks in which the school fund was then invested and to invest the proceeds in bonds of the United States or of any New England state, or in interest bearing notes or bonds of any city or town in the state. The commissioners have not exercised this authority, which applied to the fund as it then was, but not to the accumulations awaiting investment. . . . Aside from the resolution of 1876, which imposed no duty, but conferred only a discretionary authority, the General Treasurer is permitted to invest in bank stock alone. In banks incorporated by the General Assembly, where the state is a stockholder, the General Treasurer by virtue of his office represents the state in the board of directors, whereas in national banks the state has no official representative. What therefore might have been a judicious form of investment, in view of the control which the state had over banks of its own creation, may well cease to be so in the general change of these banks to the national banking system. The stringent provisions of the Constitution against diverting this fund from its specific use, and borrowing, appropriating, or using it for any other purpose whatsoever, indicates the sacredness with which it is regarded, and, I think, justify me to thus fully present the matter for your early and careful consideration."

The General Assembly took no action. Again, in 1882, Governor Littlefield's message referred to the permanent school fund:

"I deem it proper again to call your attention to the mode of investment of our permanent school fund, referring you to my former message for details as to the legislation on this subject. Further reflection strengthens my conviction of the importance of changing those investments as soon as it can advantageously be done. Although the national banks in which the fund is invested are beyond the control of the General Assembly, the state is, nevertheless, liable to assessment to the extent of the par value of its stock. While I have the utmost confidence in

the national banking system as a mode of doing the business for which it was established, I believe, for reasons I have heretofore given, that the school fund should, if possible, be placed beyond the risks attending its present form of investment."

The Public Statutes of 1882 revised the school fund law in such manner as to permit investment in town or city bonds, section 4 of chapter 28, reading:

"The General Treasurer, with the advice of the Governor, shall, from time to time, securely invest all sums of money hereby directed to be added to said fund, in the capital stock of some safe and responsible bank or banks, or in bonds of any town or city within this state."

Law but no Action.—The General Assembly had acted. Nevertheless, no change in investments was made. The \$15,000 assessment on Globe Bank stock was paid from the accumulated uninvested fund; and when, in 1884, a new investment was made, nearly \$18,000 was expended for more bank stock. A decade and a half passed before the state made its first investment of the accumulating fund in town bonds, and an even longer period before the invested fund was reinvested.

Bank Stocks Sold.—In 1899 Governor Elisha Dyer, in his inaugural message, made this announcement: "In view of the fluctuations in value of bank stocks, in which the larger portion of this fund (the permanent school fund) is invested, both the Treasurer and myself have determined to dispose of these stocks at the earliest possible moment and hold the proceeds for investment in such bonds as the law permits." Accordingly, all the bank stocks held were advertised for sale at public auction, and all were sold except the shares of the National Bank of Commerce, which were withdrawn because there was no demand for them to warrant a sale. The National Bank of Commerce at about the same time reduced its capital stock one-half, the state's 813 shares shrinking to 406. The original cost prices, the book values and the sale prices of the bank stocks sold are given in the following table:

	Cost.	Book value.	Sale price.
1000 shares Globe Bank*	\$116,141.68	\$116,141.18	\$66,250.00
1266 shares National Bank North America†	66,039.57	57,039.57	78,808.50
572 shares American Bank	30,069.62	30,069.62	21,164.00
332 shares Mechanics Bank‡	18,056.70	15,600.00	15,687.00
142 shares Merchants Bank	9660.00	9660.00	8094.00
45 shares Rhode Island Bank . . .	1534.25	1534.25	798.75
7 shares National Exchange Bank	350.00	350.00	561.75
Totals	\$241,851.32	\$230,394.62	\$191,364.00

* Two thousand shares cost the state \$101,008.19. The bank reduced its capital stock one-half, and the state paid an assessment amounting, with interest, to \$15,133.49. The book value is 50 cents in error.

† In 1872 \$9000 was charged off the book value of this stock without explanation.

‡ This stock was carried on the books at par value until 1874, when \$1000 was charged off without explanation, and probably through error.

From the original cost the loss was \$50,487.32; from the book value, \$39,030.62. The heaviest loss, that on Globe Bank stock, could be traced to the Sprague failure. The gains on National Bank of North America and National Exchange Bank of Newport nearly compensated for losses on American, Mechanics, Merchants and Rhode Island National Banks. The shares of National Bank of Commerce, withdrawn from sale at auction, still constitute a part of the invested school fund, and are the only bank stocks held since 1900.

The Shrinkage.—Besides the \$39,030.62 deduction from book values, \$20,350 (that is, 407 shares) was charged off from the book value of the stock of National Bank of Commerce, making the total book loss \$59,380.62. Auction duties credited to the fund reduced the net loss for the year to \$47,737.17, the fund being reported in 1899 as \$293,262.36, and in 1900 as \$245,525.19, of which \$64,935.26 awaited reinvestment. In addition \$3658.46 received from auctioneers had not been transferred to the fund. The invested fund consisted of 406 shares of bank stock, valued at \$22,585.24, and town bonds valued at \$158,004.69.

In 1907 the practice of carrying stocks and bonds at par, instead of cost prices including premiums, was inaugurated. In consequence of this change and reinvestments the fund shrunk approximately \$25,000, from \$262,224.75, December 31, 1907, to \$237,643.55 one year later. The fund in 1917 amounted to \$248,138.84.

A GENERAL SUMMARY.

The more significant facts in the foregoing story of the permanent school fund are as follows:

1. Treasurer Pitman, between 1828 and 1832, diverted \$3930.75 from the permanent school fund.
2. Treasurer Sterne corrected Treasurer Pitman's errors, but was prevented by treasury shortage from investing for the fund all revenues due it.
3. In 1839 the state owed the school fund \$15,773.33—a debt which it practically cancelled, at the same time increasing the revenue appropriated to the fund.
4. During Stephen Cahoon's administration of the treasury \$53,856.61 was diverted from the school fund.
5. The state in 1845 owed the school fund \$67,472.15.
6. Treasurers between 1852 and 1859 transferred to the school fund, without authority of law, \$35,085.06, reducing the state's debt to the fund to \$32,387.09.
7. In 1859 the balance of the United States deposit fund, \$155,541.27, was transferred to the permanent school fund.
8. In 1860 the school fund exceeded the fund in 1914 by \$3565.
9. In 1867 the General Treasurer, in violation of law and Constitution, invested \$3940 of school fund money in a state bond. When the bond was cancelled the proceeds were not credited to the school fund. The state's unacknowledged in-

debtedness to the permanent school fund thus became \$36,327.09.

10. In 1877 the state lost 1000 shares of stock through the Sprague failure; the money loss appeared on sale of the remaining stock in 1899.

11. Between 1872 and 1876 \$10,000 was charged off the book values of investments without explanation.

12. In 1882 an assessment of \$15,133.49 on bank stock was paid from money awaiting investment, and added to the book value of investments.

13. In 1899 the state sold most of its bank stocks, the fund decreasing \$39,030.62 in book value, and \$50,487.32 from the original cost of the investment.

14. A further loss of 407 shares of stock, through reduction of capital, took \$20,350 from the listed investments.

15. After 1908 book values were reduced to par values, premiums paid being charged off; the apparent loss was \$25,000, the fund shrinking from \$262,224.45 to \$237,643.55.

16. The total losses on investments, from 1860 to 1908, exceeded \$90,000.

17. Nevertheless the fund in 1917 showed a total of \$248,138.84.

Neglect and Its Cost.—The fundamental cause for the unfortunate past history of the permanent school fund has been neglect, and the reason for neglect has been that there has been no mutual interest between the public schools and the school fund. The annual appropriations for schools have never depended, in amount, upon the school fund or its income; and as annual appropriations have been increased, the income from the school fund, when applicable to appropriation for school purposes, has become, from time to time, a smaller and less considerable part thereof. On the other hand, to State Treasurers the fund has been a source of almost constant embarrassment, par-

ticularly in the years when treasury balances were too small to warrant transfer to the fund of the income due it, or so small that overdrafts elsewhere made the fund itself a source of temptation.

The State Auditor, in 1874, recommended abolition of the permanent school fund and application of the money to payment of the state's debt because "the sum now appropriated annually (for schools) is nearly five times as large as the accumulated dividends," and in order to relieve "our people of a seeming liability of being sufferers in a monetary crisis that may disturb our financial peace at some future date." In 1910 Treasurer Read, in his report to the General Assembly, said: "Section 2, chapter 40, of the General Laws provides that the duties paid by auctioneers into the state treasury shall be added to the permanent school fund. When the statute was enacted it was no doubt the policy of the state to create a fund the income of which was to be appropriated for the support of the public schools of the several towns and cities. It was soon found, however, the income from the fund was too small to meet the demand for educational purposes, and the policy was reversed, giving the state the income of the fund, about \$9000, and receiving instead an annual appropriation of \$120,000. The auction duties seldom exceed \$1000, and there seems to be no good reason why this meagre sum should be annually added to a fund that is no longer used for the purpose for which it was intended. It should go to the general fund." The recommendation was repeated in 1911, but the General Assembly took no action.

The Treasurer's recommendation presented a matter which deserved consideration, though his outline of the history of the fund was not accurate, and his conclusions were neither logical nor satisfying to zealous friends of educational interests. It is true that public education is too vast a public interest to rest its support upon the income of accumulated wealth; but that is not a good reason why the Rhode Island permanent school

fund should be dissipated. The permanent school fund has been static; its potentialities for good have not been realized. It has never, in all its long history, been an efficient aid to the public schools. It needs to be vitalized; it can be, and it should be, made a dynamic agent for school improvement.

HOW THE SCHOOL FUND MAY BE VITALIZED.

Under the Constitution and the statutes the ideal condition for the permanent school fund is integrity and security of investment. The Constitution forbids the General Assembly to divert, borrow, appropriate or use the money in the fund for other purposes than as a perpetual fund producing an income for the support of public schools. It may be questioned seriously, however, whether a quarter of a million dollars yielding four per centum annually produces a return anywhere nearly equivalent to the return from the same amount of money expended directly for schools and used to educate citizens of the state. It requires no magic to make the permanent school fund accomplish both returns—yield an income as an investment and educate—in other words, to spend it for schools and still have it, in contradiction of the time-honored proverb that you can't have your loaf and eat it. The movement toward this higher ideal may be inaugurated without legislation.

The statutes now permit investment in bank stocks or municipal bonds. The undesirability of state ownership of stock in private corporations is patent, and requires no discussion here. On the other hand, municipal bonds issued under state authority and secured by town property, are safe, yield a fixed, steady and certain income, and are as a rule, further safeguarded by sinking funds. No doubt, the present statute contemplates a change ultimately to investment exclusively in municipal bonds. Beyond that, the next step in the line of progress would favor the selection of town bonds issued for school purposes. That is, the permanent school fund should be made a

fund from which towns can borrow for school purposes. *Thus the fund may be spent for school purposes again and again, and yet remain intact as an invested fund and yield an income.*

Nor are the possibilities for betterment confined exclusively to the state and the immediate building of schools or the extension of school facilities. Carefully administered and worked out in detail, this plan might be made to yield an ultimate saving of money, either decreasing the burden of the towns or permitting even larger expenditures for schools without increasing taxation. The state as a lender need not insist upon round amounts, nor upon round periods for its loans, nor on long periods. In fact, the purposes of the state would best be served by early repayment and new loans, in much the same way that the rapid circulation of money helps business. An ideal condition would permit reinvestment or expenditure of the entire fund at least once every decade, or at even shorter periods, with five or six years preferable to ten; the oftener the better. The state should also permit towns to redeem loans from the permanent fund by installment payments, or to cancel loans by repayment at any time without premiums for interest loss. Repayment by installments might be accepted by the state as a substitute for sinking funds. Thus the towns would make a saving in gross interest payments, and in net interest as reduced by the income from invested sinking funds. Or the state might loan the permanent fund to the towns at a loaded interest rate, say eight per cent., and apply the extra interest to repayment of principal, or follow the plan of real estate dealers who accept periodical payments, resembling rent, as part payment for property.

Growing towns require new schoolhouses almost every year to accommodate increasing school population. School building should be financed from regular taxes or by short-time loans. There is little justification for long-term bonds on the theory that in building schools new generations are being provided for;

the future generations will have their own building burdens, and it frequently happens that a schoolhouse built on a long-term loan needs alteration and repair, perhaps rebuilding, at about the time repayment is completed. At that period the schoolhouse may have cost the town twice the original expenditure, if interest be added to first cost. For the purpose of inaugurating a reform on the basis of short-time school loans, the permanent school fund is available; it should be made a perpetual fund for this worthy purpose.

As to the income from the permanent school fund, instead of being turned into the general treasury as a very inconsiderable and almost negligible offset to the state's annual school appropriation, it should be devoted to some specific school purpose which would correlate it intimately with the schools. It might be made, for instance, the source of the fund for special aid to rural schools now administered by the State Board of Education and the Commissioner of Public Schools. It has been unfortunate that no clear connection between school appropriations and the income from the school fund has been maintained. Reform would begin with placing the expenditure of this income in the jurisdiction of the State Board of Education and the Commissioner of Public Schools.

The permanent school fund should be made a perpetual fund for loaning to the towns for expenditure for school purposes, and the income used directly for education. Thus the fund may be vitalized and a desirable interest in it created.

CHAPTER IX.

SCHOOL ADMINISTRATION.

The first Rhode Island public school law, the act of 1800, provided that the schools to be established under its provisions should be administered by town councils. Section 10 follows:

“And be it further Enacted, that the town councils of the several towns shall have the visitation and government of town and district schools in their respective towns, and the appointment of the preceptors and assistants, and the settlement and payment of their compensation, and shall and may displace them when necessary on account of incapacity or immorality.”

The report of the committee which accompanied the act when it was presented to the General Assembly discussed administration and the reasons for entrusting school management to town councils, thus:

“The superintendence of schools and the office of carrying the act into execution is invested in the town councils. This authority being already constituted and composed generally of men of ability, integrity and weight in the community, offers advantages as a superintending and executive organ which the creation of a new body of officers, with no other powers than those immediately connected with the exercise of their proper functions, would not afford. The ample powers with which the town councils are now invested would give them an energy and a facility in executing the act which no newly created authority would speedily acquire.”

Except for Smithfield's two-year compliance with the law, Providence was the only town in the state which established free schools in 1800. Providence continued to appoint its school committee, a body whose history already covered a period of

almost half a century. The school committee and town council worked together, sometimes in complete harmony, and sometimes not. In the one crucial test of authority, the town council declared invalid the election of a schoolmaster by joint action of committee and council, deposed the schoolmaster and chose another. In the last analysis, the school committee in Providence in the first quarter of the nineteenth century was merely an advisory body, or a convenient auxiliary to the town council, on which the council might shift the more burdensome duties of visiting schools and conducting quarterly examinations. In 1827 the freemen in town meeting referred the election of a school committee to the town council, and a reform committee of 36 members, with President Francis Wayland of Brown University as President, was chosen. The school law of 1828 transferred the power to elect the school committee back to the freemen, and made the school committee a body having a legal status distinct from and independent of the town council, and with specified powers. This general law, applicable to every town in the state, provided:

"Sec. 3. That at the annual town meeting . . . each and every town in the state shall . . . appoint a committee, which shall be called the school committee, and shall consist of not less than five nor more than twenty-one persons, resident inhabitants of said towns, to act without compensation, which committee . . . after being duly organized, shall meet as often as once in three months, and oftener if occasion require, for the transaction of all such business as may come before them . . .

Sec. 4. That the school committee of each town shall have power to make all necessary rules and regulations for the good government of the public schools . . .; shall appoint all schoolmasters . . .; shall have power to dismiss a schoolmaster . . . in case of inability or mismanagement; shall determine upon the places where the schoolhouses . . . shall be located; and it shall be the duty of said committee to visit all the schools in their respective towns, as often as once in every three months during their continuance, and generally, to superintend, watch over and provide for the good government and well governing of the same; and in case of death, resignation or removal . . . they shall have power to fill the

vacancy so occasioned until the annual election; . . . and shall audit and cause to be certified all bills for the compensation of masters . . . and all other expenses incurred in the support and maintenance of such schools before the same shall be paid by the town council; and shall also at said annual town meeting . . . render an account of all their proceedings for the preceding year."

The powers of school committees were detailed somewhat more specifically in the school law of 1839, though there was little substantial change. By act of 1842 school committees were required, personally or by committee, to examine and ascertain the qualifications and capacity for the government of schools of all instructors employed in public schools. Of the early school law it may be said that it separated school administration and the school system from general municipal administration and organization, through (1) the election of the school committee by the freemen, and (2) the ample powers conferred upon the committee. The subsequent history of the school committee will show (1) a departure from this plan, and (2) a gradual return toward it.

THE CONTENTIOUS EXPERIENCE OF PROVIDENCE.

The law of 1828, with its restriction limiting town appropriations for school support to double the amount received from the state, might have proved disastrous in Providence. The town had been spending more than the permissible total for a quarter of a century, and it was committed early in 1828 to an extension of school facilities planned by Francis Wayland, which must be abandoned unless the restriction were removed. The town was exempted from the restriction by a special act of the General Assembly in 1828. A city charter became operative in 1832.

Under the city charter, except as to sharing in the apportionment of state school money, Providence was further exempted from the general school law. The general school law of 1839 recognized the exemption. The Barnard act of 1845 also ex-

cluded the city, because Mr. Barnard considered it undesirable to interfere with the admirable system of schools then established in the city. The laws of 1857, 1872 and 1882 provided that "the public schools in the said city shall continue as heretofore to be governed according to such ordinances and regulations as the proper city authority may from time to time adopt."

Election of School Committee.—The power to elect the school committee passed, under the city charter, from the freemen to the city council. The school committee, which the freemen had elected since 1828, ceased to exist; for it was substituted a new school committee of five to thirty members. In 1837 it was proposed in the city council to elect the school committee by popular vote. An ordinance adopted in 1838 required ward delegations in the city council to name each year, by filing a list in the office of the city clerk, three candidates for election as school committeemen by the council. This was the beginning of ward representation. Fifteen years later a new ordinance provided for a committee of 40, 30 selected at large by the city council, and 10 nominated by a committee of the council consisting of one member from each ward.

The General Assembly, in 1853, was Democratic; the Dorr party had gained at the polls control of the government under the Constitution. Advantage was taken immediately of this opportunity to confer upon registry voters in Providence the same participation in the management of schools already enjoyed by registry voters in the towns. An act was passed establishing a school committee of 14 members, consisting of two members from each ward in the city, elected by the people. The significance of the change was twofold: First, the electorate included registry voters, whereas registry voters could not vote for city councilmen in Providence and had not been even indirectly represented in the choice of school committeemen; and secondly, it was likely that the registry voters' choice would

be one of their fellows, and that the non-property-holding class would thus attain membership in the committee. The Whigs gained ascendancy in the General Assembly in 1854, and popular control of the Providence school committee was almost completely nullified by a new act, which added to the school committee chosen by the people 14 members elected by the city council, and two ex-officio members, the Mayor, elected by the people, and the President of the common council. The Whigs had not dared to restrict or take away the suffrage right granted in 1853; they "packed" the school committee. Still another change was made in 1855, which increased the membership of the committee from 30 to 44 members, chosen as follows: By the people, three members for each of seven city wards, elected for terms, respectively, of one, two and three years, and after the first election one member every year to fill the vacancy; by the city council, 20 members at large, elected each year; ex-officio, the Mayor, the President of the common council and the chairman of the city council committee on education. The longer term and the election of one-third of the popular membership annually was intended to give the committee stability and prevent frequent changes in its entire personnel; in other words, to offset the possibility of a change in fortune at an annual election. In 1859 the law was changed again, pursuant to a proposal for an amendment to the city charter approved by the people. The 20 members chosen by the city council were dropped from the committee. The size of the committee was increased, however, by provision for the election of six members from each ward in three classes, two members to be elected each year, who with the three ex-officio members, made a school committee of 45 under the seven-ward division of the city. The school committee attained a membership of 63 under a ten-ward organization. The school committee, by the change, had become a popular committee, but it represented wards and ward interests rather than the whole city. By act of 1867 the

school committeeman in Providence must be a qualified elector and resident of his ward, but in 1873 the law was modified; thereafter he must be a resident of his ward, though not necessarily a qualified elector. After 1889 the two members retiring from each ward delegation were replaced by one member, thus reducing the committee to 33, its present membership. The biennial election law has made the tenure of school committeemen six years.

School Economy?—Of the earliest period, from 1800 to 1828, during which the town council was the controlling school committee, Stokes says that school management was characterized by strict economy. It is certain, however, that his standards for measuring economy were merely the gross amount of money expended for public school support, and the cost per pupil. In spite of an increase of 100 per cent. in population from 1800 to 1830 (7614 to 16,836), there were, after organization was completed, no increase in the number of public schoolhouses, no increase in the number of masters and ushers, no increase in expenditure for instruction, no increase in enrollment and attendance of pupils, and so little attention to repair and renovation of school property that 10 years later a committee pronounced the schoolhouses "unfit for use in their present condition," and "all either too small, too dilapidated or too badly constructed to be worth repairing." *Do these facts bespeak enlightened or true economy?* Contrast with Stokes's comment, this terse, suggestive criticism by Francis Wayland, in 1827: "Everyone sees the injustice of taxing the whole community to support one or two schools, to which not more than one-tenth of the whole number of children can find admittance. The same injustice will evidently occur if the number of scholars imposed upon a teacher be so great as to render his instruction of so little value that a large portion of the community is obliged to resort to private schools." There were 80 or 90 private schools and six or seven academies in Providence in 1828!

The short period of the freemen's school committee, from 1828 to 1832, followed an improvement of schools inaugurated by a committee headed by Francis Wayland. The complexion of the freemen's committee would vary little from the town council, while the electorate was the same. In 1837, five years after the school committee had become a committee elected by the city council, the Providence Association of Mechanics and Manufacturers complained: "Why is it that the middling classes do not become participants in this instruction? There is evidently but one reason. They perceive that the crowded state of the schools alone would prevent proper attention to the pupil; and they are aware that with the small sum which the instructors receive, it is difficult to procure and retain the services of competent persons to fill the station." While it is true that the type of economy indorsed by Stokes was characteristic of early school management and was a failing of a period wanting enlightenment and guidance to reach an accurate understanding of the state's function in providing public education, some part of the burden of criticism must rest upon a system which entrusted management of schools to a body having so many other municipal interests as the town council, or to a body dominated, as was the school committee elected by the city council, exclusively by taxpayers. Yet in 1838 the city council undertook a reorganization of the school system which in the course of six years inspired the famous speech of Wilkins Updike in the General Assembly in 1843, and won an eulogium from Henry Barnard.

City Council Control.—The city council permitted its school committee liberal discretion and authority in the management of schools, but there could be no question as to control, while the city council (1) elected the school committee, (2) determined the compensation to be paid to teachers, (3) designated the purposes for which school appropriations should be expended, (4) retained oversight of repairs and construction of schoolhouses,

and (5) by ordinance conferred upon or deprived the school committee of specific or general powers. Authority was unitary, and the responsibility of the city council was recognized.

The Constitution of 1843 introduced a new type of voter—the registry voter, who had paid voluntarily a tax of one dollar for public school support. In Providence he could not vote in the election of the city council, and thus was excluded from even indirect influence in the election of the school committee. The act passed by the General Assembly in 1853 was, therefore, a reaffirmation of the principle underlying the protest against “taxation without representation” which had preceded the Revolution of 1776, and, at the same time a reform measure strictly in line with recognition of an interest in public school management participated in by others than direct taxpayers. The acts of 1854 and 1855 tended to restore city council control, but the act of 1859 made the school committee, in its personnel, somewhat independent of the city council. Still, the city council retained final authority through (1) its control of school property, (2) its exclusive functions with respect to construction and repairs, and (3) its powers to fix the salaries of teachers, (4) to designate the purposes for which appropriations should be expended, and (5) to define by ordinance the rights and duties of the school committee. But it had no power to quiet conflict with a contentious school committee by retiring recalcitrant members thereof and changing the committee’s personnel; and it dared not exercise final authority to its full effect in the face of popular sentiment which the school committee could rally to its support. Unfortunately for the public schools the question of control became an issue in the political controversy between taxpayers and registry voters, and incidentally in the broader political controversy arising from suffrage restriction.

Particularly vexatious to the school committee was the city council’s control of school janitors and the placing of every

school building in charge of an "official" amenable neither to teachers nor to the school committee. Moreover the restrictions which the city council placed upon salaries sometimes hampered the school committee's endeavor to engage or to retain a superior type of teacher. It was inevitable, whatever the provocation, that a school committee elected by the people should chafe at control, and that the city council, elected by taxpayers, should seek to restrain freedom of expenditure by a committee which had no other interest in the revenue than spending it. Thus there was ample cause for friction between the bodies; and municipal politics easily supplied reasons for it.

Council vs. Committee.—The breach between council and committee opened widely in 1883. The school committee had petitioned the city council for renovation of school buildings, for new equipment in certain buildings, for installation of improved sanitary arrangements made possible by extension of the city sewer system, for the construction of eight new schoolhouses, for exclusive control of school estates, and for exclusive direction of the expenditure of school appropriations. No concessions having been granted by the council, the committee petitioned the General Assembly in 1884 to transfer control of school property from the city council to the school committee. The proposed legislation and a bill requiring the city to provide free textbooks both failed of passage. In 1885 the school committee asked permission of the council to participate in the selection of plans for schoolhouses, a charge of the council committee on city property, but was refused. In the same year the committee notified the council that it would seek legislation permitting it to determine the salaries to be paid to school teachers.

The reduction of the membership of the school committee from 63 to 33, effected by the act of 1889, increased its efficiency, and likewise its persistence and influence, in spite of expectation to the contrary. The committee in 1890 again petitioned the

General Assembly for legislation giving it control of school property, without success. In the same year the city council increased teachers' salaries in amounts totalling more than \$43,000, but it took away from the committee and entrusted to the superintendent of schools the authority to purchase books and supplies. In 1893 the city council's appropriation for schools brought the amount available for school support \$35,000 under the school committee's estimates, while the compulsory free textbook law involved an expense for the first year of \$45,000. The school committee finished the year with a deficit of \$48,000.

In 1895 the city council adopted an ordinance requiring all employees of city departments to be residents or taxpayers of the city. The City Solicitor ruled that the school department, technically, was not a "city department." The ordinance had been intended to apply to schools as well as to other city departments, and needed only a change in phraseology to give it full effect. The ordinance would have hampered the school committee in seeking teachers outside the city.

Committee vs. Council.—In the same year "the school committee desired to organize one of its departments in a way that was believed would increase its efficiency and certainly would decrease its cost. Request for power was made to the council. The ordinance passed one branch, but was held up in the other. After changes had several times been made to meet proposed objections, it was finally found that the reason for withholding assent came from an endeavor to keep in office certain teachers to whom some of the members of the city government were friendly and who would lose their positions if the ordinance went into effect. The school committee felt that the time for action had come, and that petty interference of this kind could no longer be submitted to, and appealed to the Legislature. In 1896 an act passed both houses of the General Assembly by unanimous vote, placing the entire management of the Provi-

dence schools in the hands of the school committee, save only the matter of the erection and repair of school buildings and the determination of the aggregate amount of appropriations for school purposes."* The act referred to simply placed Providence under the state's general school law except (1) that the city council retained control of the repair and construction of school buildings, and (2) that the manner of electing school committeemen and the size of the committee were not changed to conform to the general law.

The struggle between council and committee was not ended, however. Since 1896 the council's authority in school matters has been limited to its control of the public purse, and has been exercised through its veto upon building projects and through limitation of the amount of school money placed at the disposal of the school committee. A crisis was reached in 1898-99. The school committee, facing a deficit of \$91,000, was persuaded to continue school sessions for the full term in 1898, but resolved, in the name of retrenchment, to discontinue evening schools, kindergartens, and special instruction in sewing, cooking, etc., which had been introduced as a beginning of industrial education. The proposed curtailment aroused, as it probably was intended to do, a storm of popular disapproval and a demand for an investigation. The Mayor appointed a committee, which made a careful study of the situation. No serious mismanagement or extravagance was found. The issue uncovered lay between the city council and the school committee, and it was a financial issue. The city council had restricted appropriations; the school committee had inaugurated extensions for which the council had provided no money. Perhaps the committee was as much at fault as the city council; at any rate, it incurred the odium of having precipitated the crisis. Pursuant to recommendation of the investigating committee,

* From the address of Walter H. Barney, President of the school committee, at the Public School Centennial celebration, October 22, 1900; printed in the report of the school Committee, 1900, page 270.

the teaching force was decreased, particularly in the high schools; salaries for beginners and the rate of improvement of salaries were reduced; instruction in sewing and cooking was discontinued. Still the committee was obliged to close the schools two weeks short of the full term in June, 1899.

The conflict between council and committee has grown less bitter in recent years, but there is almost annually a controversy over the appropriation, either when the council reduces the committee's estimates, or when the annual deficit, which seems to be almost inevitable, is reported. There was in 1915 some agitation for a law which would place at the disposal of the school committee annually a definite proportion of the revenue of the city arising from taxation, besides the poll and dog taxes, tuition fees collected from non-resident pupils and the city's apportionment of state school money. This measure would relieve the committee of the necessity of convincing the city council annually of its needs, and would heighten the responsibility of the school committee to the people.

A Large Committee.—No American city of the same size has so large a school committee as Providence; only one American city has a larger committee than Providence. The prevailing tendency is toward smaller school committees, or compact boards of education or school commissions. Without doubt a smaller school committee or a small school board would replace the large school committee in Providence if there was substantial agreement as to the method of electing or appointing its members; when this detail of any proposed reconstruction is reached, the problem involves an issue whose solution apparently awaits a readjustment of suffrage restrictions. Election by the city council means a return to the system in operation before 1853, and the elimination of the registry voter as a factor in the choosing of the school committee; election on general ticket or appointment by the mayor suggests changes in political party control. For the committee as at present constituted, much as

it violates such theoretical considerations as favor (1) a much smaller body, (2) a body chosen on general ticket instead of by districts, or appointed without consideration of districts, and (3) a reduction of the number and a limitation of the powers of sub-committees, it must be said (1) that, while local sectional interests are not neglected by the school committee in Providence, these have given place to a larger general interest, and (2) that the school committee has approached recognition of a scientific division of functions in school administration betwixt the committee as a legislative body and the superintendent of schools as an executive. The committee is still open to the criticism that most of its functions are exercised and most of its business is considered in detail by sub-committees, and that it has no substantial unitary organization of its entire membership; but this is a criticism that must be made inevitably of so bulky a committee attempting to deal with the mass of details in so large a public school system; it is a fault of the system—not of the committee.

Rise of the Sub-Committee.—The sub-committee of the school committee originated in April, 1813, when “a committee for the purpose of examining into the qualifications of candidates for preceptorships of the public schools” was appointed. In October of the same year sub-committees to have charge of the several schools in the intervals between quarterly examinations were appointed. The school committee of 1828, the first freemen’s committee, appointed an executive committee of three members, a committee on accounts of two, and a committee on qualifications of five, besides district committees. A high school committee was appointed when the school system was extended; committees on music and evening schools in 1870, committees on drawing and penmanship, vacation schools, by-laws and textbooks in 1880. In 1897 the standing committees numbered 18, and the next year 19. The present organization consists of 19 sub-committees, mostly of five

members each besides the president of the school committee, who is ex-officio a member of all committees, as follows: Accounts, annual report, apportionment (finance), by-laws, drawing, education of backward children, evening schools, executive, free public lectures, grammar and primary schools (replacing the committee on qualifications), high schools, hygiene, music, penmanship, private schools, relations to the city council, schoolhouses, summer schools and textbooks. Each ward delegation is a district committee on the schools in its ward, and each member of the school committee is a visiting committee for one or more schools. The school committee employs a clerk, who is ex-officio secretary for all sub-committees, and is assisted by four clerks; a purchasing agent, with three clerks; a truant officer, with two clerks; a superintendent of school property, with an assistant and clerk, among whose functions is supervision of school janitors; besides the superintendent of schools and three assistant superintendents.

Ward Interests.—Recognition of ward interests in the school committee began in 1838 with the ordinance permitting ward delegations in the city council to nominate candidates for the school committee. The law of 1853 provided for popular election of the school committee by wards. The committee on qualifications in 1858 consisted of one member from each ward, and in 1868 ward delegations elected each one member of the sub-committees on qualifications, high school, music and evening schools. Six years later the committee on penmanship and drawing was similarly organized, but the sub-committees on high schools and evening schools were reorganized without reference to wards. In 1887 the chairman of the committee on education became a member of the committee on qualifications, failing to affect materially, however, the strong ward interest. The committees on music, and drawing and penmanship were reduced to five members in 1890, but the evening school committee was restored as a ward committee. Two years later the

evening school committee became a committee of five members, and the president was given power to appoint the committee on grammar and primary schools, which, however, still consisted of one member from each ward. In 1897 all committees were reduced to five members, to be appointed by the president. The prescribed representation of wards in sub-committees was a tacit recognition of ward interests in the work of the committee. Years were required to eliminate this partisan and political interest, particularly harmful to the schools, as it affected the appointment, discipline, retention and dismissal of teachers. The reorganization of sub-committees in 1897 marked a long stride forward, and in 1899 the assignment, transfer and dismissal of teachers was placed in the hands of the superintendent; in 1902 the appointment of teachers, subject to approval by the school committee, became a prerogative of the superintendent.

The Superintendent.—Providence was the first Rhode Island town to appoint a professional superintendent of schools. The office was created by ordinance of April 9, 1838, which authorized the school committee to make the appointment. Nathan Bishop, the first superintendent, was elected July 23, 1839, and entered upon his duties August 1, 1839. Credit for the innovation has been assigned to Thomas W. Dorr, to whom it was suggested by the employment of superintendents in the manufacturing industries of the state. Dorr, though active in the school committee and at one time its president, and diligent in performing every duty of his office, recognized the service which an efficient supervisor, amply paid and devoting all his time to school management, could render. At first a visitor, inspector and supervisor of schools, the superintendent gradually was entrusted with wider powers, becoming in the course of time an adviser of the school committee as well as its servant and agent.

Reviewing briefly: The efficiency of the school committee of Providence as an administrative body has been affected by attempts to control its action exerted externally and internally. The chief agency operating from without has been the city council. Providence was exempted from the restriction upon school appropriations imposed by the general school law of 1828, and the city charter of 1832 extended the exemption and provided for election of the school committee by the city council. The city council elected the school committee from 1832 to 1853, and elected approximately one-half its membership from 1854 to 1859. The city council substantially controlled the school committee from 1832 to 1896 by ordinances fixing the powers of the committee, and by the retention and exercise of functions essentially administrative relating to the public schools. Since 1896 the city council's influence has been limited to control of the public purse. Factors operating internally have been the large size of the committee, the recognition of ward interests as paramount to a general interest of the whole city, and the sub-committee system, decentralizing in its effect, but rendered inevitable by the size of the committee and the mass of business handled by it. The ward interest has practically been eliminated. An important factor tending to promote efficiency of school administration in the city has been the superintendent of schools, the gradual extension of his functions, and the recognition of a division of powers in school administration. The school committee tends to become a legislative body, delegating executive powers to paid officials.

INTRICACIES OF THE SCHOOL DISTRICT SYSTEM.

The Barnard school law raised the school district to the dignity of an administrative unit and created a new minor school officer—the district trustee. The district law was not complicated, and yet nearly every section of it was carried to

the Commissioner of Public Schools or the Supreme Court for interpretation.

The history of a controversy in the town of North Providence, centering in school District No. 3, shows the intricacies of the district system, the possibilities which it offered for intermittent and enduring controversy, and the trivial pretext which might be made the basis for dispute, conflict and litigation. In the course of seven years, from 1850 to 1857, thirteen appeals were taken to the Commissioner of Public Schools or the Supreme Court.

The original controversy arose from the school committee's attempt to enforce a gradation of schools in a populous school district, in which conditions warranted such progressive action. John H. Willard, a grammar master in another section of the town, member of the school committee and its clerk, seems to have been a prime factor in the movement to enforce gradation. He was resolute and resourceful, and sought to accomplish his purpose by use of the means which the law gave him. When it was clear, as was decided, on the second appeal, that the school committee could not by direct means enforce a gradation of schools, recourse was had to indirect methods, that is, to limitation of certificates and withholding teachers' salaries.

The people of the district were divided on the question. One of the earlier appeals was taken by two residents, who protested a division of the district. Two later appeals tested the validity of a record vote taken in a district meeting. Finally John H. Willard himself felt the onus of unpopularity. He resisted successfully an attempt to reduce his salary as a schoolmaster or to dismiss him from his position, and also an attempt to remove him from his office as clerk of the school committee. The last appeal from North Providence, the thirteenth, was taken by John H. Willard, and the Commissioner of Public Schools sustained the action of the school committee, which had discharged Willard.

March 9, 1850, the school committee recommended that District No. 3 build or lease a room for a primary school in the southern part of the district. No action was taken upon this recommendation, until at a meeting of the district on August 6, 1851, a resolution was adopted, voicing the opinion of the district that its wants imperatively demanded the establishing of a primary school, and ordering that a schoolhouse be built for the use of the public schools agreeably to the recommendation of the school committee, at a cost not exceeding \$1000. The schoolhouse was built.

Meanwhile, on November 30, 1850, the school committee of North Providence voted to divide school District No. 3 into two districts. From this action James S. Healey, Robert Newson and others appealed, contending that the school committee had no power to divide the district, because schools of different grades might conveniently be established. Section 4 of the school law was cited, which empowered the school committee "to lay off their respective territory into primary school districts, and to alter or abolish the same when necessary; provided, that unless with the approbation of the Commissioner of Public Schools, no new district shall be formed with less than forty children, over four and under sixteen years of age; and that no existing district, by the formation of a new one, shall be reduced below the same number of like persons; and that no village or populous district shall be sub-divided in two or more districts for the purpose of maintaining a school in each under one teacher, when two or more schools of different grades for the younger and older children can be conveniently established in said district." It was not disputed that there were in each of the proposed districts more than forty children of school age. The Commissioner held that the portion of the law respecting the grading of schools should be construed "as laying down a principle for the regulation of the discretion of the committee," and concluded: "In regard to the facts of the case, taking all

the circumstances together, and with the probability that the population of the north part of the district, from its vicinity to the city, must be constantly increasing, and that, therefore, the district presents a favorable opportunity of carrying out, sooner or later, the apparent intention of the proviso, I am of the opinion that the district ought not to be divided, and the decision of the committee is, therefore, reversed." This decision was rendered April 16, 1851, and approved two days later by R. W. Greene, Chief Justice of the Supreme Court.

When the new school was opened two teachers were employed, Anson H. Cole and Miss Hannah T. Smith. Both held certificates granted by the school committee, Mr. Cole a general certificate, and Miss Smith a certificate for the new primary school. It was obviously the intention of the committee by this special certification to force a gradation of schools. The trustees changed the teachers, sending Mr. Cole to the new schoolhouse, and Miss Smith to the old schoolhouse. On January 2, 1852, the chairman and clerk of the school committee notified the trustees that the teachers must be restored, and that unless the change was made the following Monday, their bills would not be allowed. The change was not made, and the school committee refused to allow the bills for wages after January 5, 1852. An appeal was taken to the Commissioner of Public Schools, who, after a hearing, held—

1. That the school committee may promote by advice and recommendation, but have no power to compel a gradation of schools by a district.

2. That the committee have power to limit and explain their certificate; and that there is no reason why the certificate should not express the degree of qualification.

3. That the committee cannot delegate their general powers. To delegate a power which is supposed to imply the exercise of a discretion in the committee seems contrary to the

intention of the law in giving such power to the committee. Although the committee has a right to annul a certificate, it cannot delegate this power to annul. Hence the action of the chairman and clerk in notifying the trustees that the teachers must be restored was not a legal annulment. The Commissioner, therefore, ordered the town treasurer to pay the bills of both Mr. Cole and Miss Smith.

The town treasurer refused to pay, and an application was made to the Supreme Court for a writ of mandamus. This stage of the controversy is reported in the case of *Randall vs. Wetherell*, 2 R. I. 120. After a hearing and consultation with the Commissioner of Public Schools, the court held that the Commissioner has no authority, under the statutes, to draw an order on the town treasurer for the payment of school money. His procedure should be to render a decision, and certify it to the school committee. Upon the school committee's refusal to act, it was suggested, a writ of mandamus might be issued against the school committee.

Thereupon the Commissioner of Public Schools issued a notice to the school committee to show cause why an order should not be made for them to carry his decision into effect, and a second hearing was held on June 12, 1852. At the conclusion thereof the Commissioner issued an order to the school committee to draw an order on the town treasurer for the salary due Anson H. Cole, who had held a general certificate for the town, but reversed his former decision ordering the payment of Miss Smith's salary, holding that it was not within the Commissioner's authority to dispense with a teacher's having a certificate. It will be remembered that Miss Smith's certificate had been expressly limited to a certain school, and that she actually taught in another school.

The quarrel was not at an end, however. A fourth appeal to the Commissioner of Public Schools was decided on January 8, 1853. It appeared that on October 16, 1852, the school

committee refused to allow the bills of Anson H. Cole and Hannah T. Smith for another term, on ground that their certificates had been annulled by the letter of January 2, 1852, already referred to in connection with an earlier appeal. This time the question to be decided was simply that of the effect of the letter. Mr. Cole had a general certificate, but had taught in the primary school; Miss Smith had taught in the school to which her certificate was limited. The Commissioner held, as before, that the school committee could not delegate its power to annul certificates to a sub-committee, and ordered the school committee to issue warrants for paying the salaries.

Within a week the school committee rejected the claim of another teacher, Miss Abby Thurber. Miss Thurber held a general certificate, but she was notified by the sub-committee of the school committee that her certificate was annulled as soon as she began to teach in the "old schoolhouse." She taught in the "old schoolhouse." In this appeal a new point was raised, namely, that the sub-committee who annulled the certificate was a superintendent of schools, with all the powers of the committee. Section 7 of the school law was quoted, as follows: "Any town may appoint or authorize its school committee to appoint a superintendent of the schools of the town, to perform, under the advice and direction of the committee, such duties, and exercise such powers as the committee may assign to him." The town had voted on June 3, 1850, to authorize the school committee to appoint "an agent to visit the schools, at a compensation not exceeding one hundred dollars, to be paid from the public school money." The school committee, on October 18, 1851, voted "that John H. Willard be superintendent of the public schools of the town for the current year, such services to be compensated from the residue of the appropriation of \$100 voted last year by the town for such purpose." The Commissioner held that the vote of the town did not authorize the school committee to appoint a

superintendent, and that John H. Willard was not superintendent. The committee's vote was reversed, and the salary was ordered paid. This decision was approved by the Chief Justice of the Supreme Court.

In the summer of 1854, District No. 3 voted to build another new schoolhouse, and to assess a tax, but held a later meeting on August 17 to reconsider its action. A motion to rescind was declared rejected by a vote of 22 to 22. An appeal was taken to the Commissioner, who reviewed the record vote. A record vote required that the name of the voter and his preference be recorded. It was found that eleven who were not qualified taxpayers had voted; their votes were declared illegal, and the vote to rescind was carried, 17 to 16. To quiet further agitation, the Commissioner ruled that a contract for building could not be made legally until the district had acquired title to the school lot.

Another appeal was taken on the same question by Edward Finigan and Lewis E. Heaton, who alleged that their ballots had been illegally rejected by the moderator at the meeting on August 17. After a hearing the Commissioner decided that the ballots had been rejected illegally, and as the two men offered to vote against the motion to rescind, their votes should be received and counted. The vote therefore stood 18 for rejection of the motion to rescind, and 17 for it. Hence the vote had not been rescinded. This decision, reversing the earlier decision by Commissioner Potter, was written by Commissioner Allyn, and approved by the Chief Justice of the Supreme Court.

The next appeal from North Providence was from another district, District 8, the Commissioner deciding that he could not encroach upon the powers, prerogatives or duties of any officer below him, and that he could not, in this particular case, issue a warrant for the collection of a district tax, where the district trustee declined to act.

John H. Willard, who had been a party to the controversies in District 3, was the next appellant from North Providence. He was master of a grammar school in District 2, and was notified by a newly elected board of trustees that they had voted to reduce his salary, or to dismiss him if he did not accept a cut. Willard claimed an appeal, on ground that his salary could not be reduced, and that he could not be dismissed within a school year without cause. The Commissioner sustained the appeal.

In 1856 an appeal was taken from District 1, North Providence, to test the legality of a tax assessment, and in the same year the Commissioner heard another appeal from District 3, on which he decided that at a special meeting of a school district no other business than that named in the warrant could be transacted legally.

At the annual meeting in school District 3 in May, 1855, three trustees were elected; one resigned in September, 1855. His resignation was accepted in February, 1856, and another trustee was elected. This election was declared invalid in the appeal previously mentioned. The two remaining trustees had declined to recognize the legality of the third trustee, and had held meetings without him. An appeal was taken from the action of the clerk of the school committee, John H. Willard, who drew orders for the salaries of teachers elected by the two trustees. It was held that, as two trustees did not constitute a legal board, no teachers had been legally elected, and the appeal was sustained.

On December 13, 1856, the school committee declared the office of clerk vacant, thus dismissing John H. Willard, who had been interested in almost every one of the earlier appeals. No notice was given, and no opportunity was afforded Willard to be heard. The Commissioner held that the clerk could not be dismissed without notice and a hearing, and his decision was approved by the Chief Justice of the Supreme Court.

Thereupon the committee, on March 21, 1857, tried Willard upon charges, sustained them and voted to dismiss him. On his appeal the committee was sustained, and Willard was thus effectively dismissed.

Of 102 decisions reported in the School Manual for 1896 more than three-quarters involved sections of the school law dealing with school districts. The litigation involved almost every phase of the life of a school district and its various functions—from creation to abolition. The decisions illuminate the district law, and both law and decisions give a fairly accurate description of the *life and trials of these historical organizations*.

Locating the District.—The option of administering town school systems by the town plan or the district plan rested, in the first instance, with the town, under the Barnard law, but in 1846 the lines of all existing districts were confirmed by statute, in order to quiet contentions raised by obstructionists that the law of 1845 had abolished all school districts previously created and required a reorganization. Thereafter new districts could be laid out, and district lines changed only by the town school committee. It was held that the authority of the town meeting ended with a vote to establish districts, and that the actual laying out and location of boundaries was a function belonging exclusively to the school committee (75, 1864, and 8, 1884*), and that the school committee's record, not the duplicate filed in the office of the town clerk, was the ultimate authority (55, 1859). While the discretion of the school committee in establishing boundaries was not limited, it could not be exercised arbitrarily; hence, a single estate could not be taken from one town to form a joint district with a district in another town, when other estates were favorably situated for the same purpose (72, 1857). On appeal from the vote of the school committee

* Citations by number only refer to the School Manual of 1896. Of the two numbers given in each instance, the first is the number of the decision and the second the year in which it was rendered.

the Commissioner of Public Schools might define boundaries (86, 1848; confirmed 1852 and 1864), and on refusal of the school committee to act, he had similar authority (88, 1851). No district providing for less than 40 children of school age could be laid out without the consent of the Commissioner. The school committee had power to discontinue a district once established by merging it with another district (75, 1875). After 1882 the school committee must give public notice of any meeting at which it was proposed to alter school district lines. The school committee had power to establish a school and engage a teacher for a district which neglected or refused to organize, or which failed to keep a school; or to take over and administer the schools of a district upon surrender by the district.

Corporate Powers of District.—School districts were by statute bodies corporate, but involuntary corporations, “brought into existence without the volition of their members, embracing everyone within their limits nolens volens.”* Changing boundaries did not break the corporate life of a school district (56, 1881). The school committee could dissolve the district corporation by merging the district with another. *Bull vs. School Committee*, 11 R. I. 244. The statutory powers of a school district were: To prosecute and defend actions; to purchase, receive, hold and convey real or personal property for school purposes; to establish and maintain a school library; to build, purchase, hire, repair and equip schoolhouses; to raise money for school support by taxes levied on the ratable property in the district, and to elect district school officers. The district possessed such additional, incidental powers as the rights to borrow money by note (10, 1855. *J. O. Clarke vs. School District*, 3 R. I. 199); to sue at law and pay the costs of suit, to hire legal counsel to prosecute or defend actions, to pay compound interest

* Matteson, A. J. S. C., in *Bull vs. School Committee* 11 R. I. 244, quoting Morton, J., in *School District vs. Richardson*, 23 Pickering 62, 69.

by agreement, and to make contracts (7, 1853). A school district could not hire a school teacher, this power belonging exclusively to the district trustee (62, 1856). A school district could not expend the money for the coming year (15, 1868).

The Taxing Power.—The taxing power was most frequently in litigation. The amount of a district tax must be approved by the town school committee; approval might be given before or after assessment (32, 1888. *Seabury vs. Howland*, 15 R. I. 446, explaining *Holt's Appeal*, 5 R. I. 603), at any time up to the time when a warrant for collection of the tax was issued (43, 1854). The district might rescind its vote to raise a tax (7, 1853), and the school committee might rescind its approval of a district tax (41, 1853), but neither district nor committee could rescind after a valid contract had been entered into pursuant to the vote (6, 1853). • Any change in the tax order required a fresh approval (48, 1858*). After 1884 a district meeting to reconsider action previously taken within six months could be called only with the consent of the school committee. (P. L., ch. 455. See 34, 1890). The school committee's approval of a district school tax was not reviewable on appeal to the Commissioner of Public Schools (40, 1844; confirmed 1854) if the tax otherwise was legal, the Commissioner holding that the school committee's approval involved a review.† The amount of the tax assessed must not exceed the amount ordered by the district (55, 1879), but the district might order a tax on the percentage basis, the amount to be determined by the assessment (45, 1856). A district tax was not illegal because it exceeded the amount of the district's indebtedness (49, 1859); that is, the district might raise money by taxation in anticipation of its future needs. Real estate and personal property must be assessed separately (43, 1854). A vote to assess a tax

* And see *Holt's Appeal*, 5 R. I. 603, as explained in *Seabury vs. Howland*, 15 R. I. 446.

† *Query*. This question is now academic, but it may be questioned if the decision was right. *Cottrell's Appeal*, 10 R. I. 615.

within a specified time was directory, not mandatory; the tax, for good reason, might be assessed within a reasonable time (43, 1854). Imperfections in a record did not invalidate a tax, if it was clear to whom and on what property the tax was assessed (45, 1856).

Transfer of land did not invalidate an assessment and render another necessary (92, 1856). An estate, transferred from one district to another by change of district lines, after a tax had been ordered but previous to assessment, was liable to assessment in the second district (56, 1881). A law exempting the children of honorably discharged soldiers and sailors and their parents from tuition fees, did not exempt the property of soldiers and sailors from taxation for school purposes (98, 1878). District taxes must be levied on ratable property according to its value at the last town assessment or the next assessment, if so ordered. Obviously the last town assessment would not cover satisfactorily land taxed as one parcel and lying in two districts, or personal property of residents moving into a district after the town assessment, or property divided and apportioned after death or by sale, or personal property reinvested in real estate, or property omitted from the town assessment. The law, in such instances, provided for a reassessment by the town assessors, after a failure to reach an agreement by district trustees and the taxpayer (55, 1879). The school committee had power to abate taxes where property previously assessed for building or repairing a schoolhouse was transferred into another district and became liable to assessment there.

The period of residence determined the residence for purposes of taxation when a person resided only part of the year in a school district (51, 1860). The Commissioner of Public Schools might, after notice and hearing, appoint assessors to assess a tax sufficient to fulfill a contract legally entered into by a district, if the district refused to order and collect such a tax, but he could not enforce collection of a tax already ordered by the district

and only partly collected (91, 1855); the last was a function of the district trustee. The Commissioner's power was limited to instances where the district itself failed to act or could not act (54, 1877). The school district tax could be paid legally to nobody but the regularly appointed collector (44, 1855), but the district might designate the town collector of taxes as its collector (46, 1856). The bondsmen of a town collector were not liable for his acts while collecting for a school district (45, 1854), a decision which emphasized the corporate separation of town and school districts.*

District Meetings.—School districts, after organization, were required to hold an annual meeting. Notice of the time and place of holding district meetings must be given by publication in a newspaper published in the district, or by posting in two or more public places for five days before holding the same. A notice dated six days before a meeting was held *prima facie* evidence of regularity. *Howland vs. School District*, 15 R. I. 185. In reckoning time the law does not consider fractions of a day. In computing the five days required for notice the day of the meeting could not be counted, but the day of posting could be; hence a notice posted on the ninth was valid for a meeting held on the fourteenth (34, 1890). One notice was insufficient (29, 1875†). Three notices were posted, one on the schoolhouse, one on a building previously used as a grain building, one on a board, 6 feet by 10 inches, fastened by the roadside; held sufficient. *Seabury vs. Howland*, 15 R. I. 446.

Special meetings might be called by trustees, or by the clerk of the district if the trustees were unable to act, at discretion; and must be called by the trustees or clerk upon the written request of five qualified electors; or by the school committee,

* And see speeches of Arlan Mowry and Edwin Aldrich, in Rhode Island House of Representatives, March 4, 1870, opposing the setting off of Woonsocket from Smithfield. Rider collection, 182, 35, 7.

† *Prink vs. Coventry*. Taken on appeal to the Supreme Court and decision confirmed.

upon the refusal or neglect of the trustees or clerk to act. After 1884 no special meeting could be called, without the consent of the school committee, to consider any matter acted upon by the district within six months previous to the meeting. This limitation was interpreted as if the word "consider" read "reconsider." It was held that a meeting to take additional steps to carry out a previous vote of the district did not require consent of the school committee (34, 1890). The call for an annual meeting need not (*Seabury vs. Howland* 15 R. I. 446), that for a special meeting must, state the purpose of the meeting (24, 1856). It was held that when the object stated in the notice for a special meeting was "to take action in regard to the collection of the tax already assessed," it was sufficient to warrant the election of a tax collector (*Seabury vs. Howland*, 15 R. I. 446); but a call for the purpose of considering the expediency of building a new schoolhouse or of enlarging the old one, while warranting a vote to build and the appointment of a committee to carry out the vote, was not sufficient to warrant a vote to purchase a new site and to raise a tax (33, 1888).

Suffrage Rights.—Every person resident in a school district was entitled to vote in district meetings to the same extent and with the same restrictions as he might at the time vote in town meetings, but no person could vote upon any question of taxation of property, or the expenditure of money raised thereby, unless he had paid or was liable to pay a portion of the tax. Obviously, town voting lists, canvassed for the days of town meetings, could not supply district needs for meetings held at other times. A resident of a district qualified to vote could vote, even if his name was not upon the town list (23, 1854; 26, 1859; 8, 1884). No specified length of residence in a school district was necessary to qualify a voter (27, 1892). "Residence" was not lost by temporary absence or occupation of another domicile (23, 1884); residence, once acquired, was retained until abandoned (39, 1894).

The law excluded from participation in the district meeting the property holder who was not a resident, and from voting on tax questions the resident who was not a holder of property liable to taxation in the district. The last restriction was imperative (25, 1856; 8, 1854). A husband could vote on his wife's property if entitled to curtesy in it (28, 1878). A resident not entitled to vote on a tax question could vote in the election of a committee to purchase a site and erect a building, the amount to be expended having been definitely settled (20, 1848). When there was only one taxpaying voter in a district, his vote was sufficient to order a tax (52, 1856). Registry voters could participate in a vote requesting a division of a district, because this vote involved merely an expression of opinion addressed to the school committee, which alone had the power to divide (8, 1854). Similarly, a registry voter could participate in a vote to abolish school districts and adopt the town plan (102, 1895), because the question involved was one of policy and administration rather than a tax question.

Conduct of the Meeting.—The moderator of a district meeting was required to put all questions to vote (21, 1848). The clerk was bound to record the proceedings as declared by the moderator (39, 1894). Evidence might be received to correct or supply omissions in a district record (22, 1883), but the Commissioner of Public Schools had no jurisdiction permitting him to change a record (99, 1883). To invalidate the district's action, illegal votes must be sufficient in number to change the result (25, 1856). Under the system of record voting it was possible to determine the number of illegal votes and their exact effect. On the request of any qualified voter a record vote must be taken. The record must include the names of the voters and how they voted. Even the election of district officers must be by record vote if requested (36, 1893). Refusal by the moderator to permit a record vote might be sufficient cause to invalidate proceedings (35, 1891). The record vote must be demanded

before the beginning of voting; request for it could not interfere with a ballot already in progress (30, 1882). The moderator had no casting vote; he must vote if at all before the poll was closed (39, 1894).

Union Districts.—Any two or more adjoining districts in the same town, by concurrent vote, had the power to unite as joint districts to “establish a school for the older and more advanced pupils of such districts;” or, with the approval of the school committee, had the power to “unite and be consolidated into one district for the purpose of supporting public schools,” losing thereby no portion of public school money. Two or more adjoining districts or parts of districts, in adjoining towns, could be formed into a joint school district by the school committee of such towns concurring therein. The law provided for the adjustment of public property rights, on consolidation or division of districts. A joint district formed by the consolidation of districts in two towns was dissolved if either town abandoned the district system (38, 1894). Under the law of 1884, which recognized the school, instead of the school district, as the unit for apportionment of public school money, a joint district maintaining one school counted as only one, without regard to the number of districts consolidated (81, 1888).

The school committee had power to discontinue school districts by merger. *Bull vs. School Committee*, 11 R. I. 244. The right of a town to discontinue all districts once the district system was established, and undertake administration by the town system, except by unanimous consent, seems to have been in doubt. A general power to abolish districts was conferred by the General Assembly in 1884, and in 1904 all districts were abolished by statute.

Officers of Districts.—The officers of a school district were a moderator, a clerk, a treasurer, a collector of taxes, and one or three trustees, as the district decided. Election of officers

required a majority vote; it was held that the amendment to the Constitution providing for plurality elections, in mentioning districts, referred to "voting districts" rather than "school districts" (37, 1894). The same person might hold more than one office when the duties were not incompatible; thus the clerk might be treasurer or collector, but not treasurer and collector (13, 1863). The vote to elect one or three trustees need not be taken formally each year (31, 1887). If but one trustee were elected at the annual meeting, that was an exercise of the option to elect one instead of three; two more could not be elected at a subsequent meeting within the year (63, 1859; *Richardson's Appeal*, 5 R. I. 606). A board of two trustees was not in accordance with statute; where two were elected, it was held that one trustee held over from the previous year to complete the triumvirate (64, 1883). Defeat of the purposes of the school law by technicalities affecting individual rights to office was prevented by recognition of acts of de facto trustees as legal (14, 1864). A trustee could not be removed from office during his term without cause (16, 1873; 60, 1853). The resignation of a trustee did not remove him from office until it was accepted by the district; the resignation might be withdrawn before being accepted (68, 1891). Registry voters were not eligible to election as district officers (14, 1864); district officers were not "general officers," and, except in the single instance of the school committee, an officer must be a qualified elector (9, 1854). Loss of qualification after election did not, however, render the trustee ineligible for service (57, 1849); this decision must rest, perhaps, on the doctrine of de facto service.

Powers of Trustees.—The powers and duties of district trustees were: To have the custody of the schoolhouse and other district property; to hire one or more qualified teachers for every 50 scholars in average daily attendance; to provide schoolrooms and fuel; to visit schools at least twice during each term; to notify the school committee or superintendent

of the time of opening and closing schools; to provide a cabinet or bookcase in each schoolroom for the care of the books and school supplies; to make out tax bills against persons liable to pay them; until tuition was abolished, to make out rate bills; until free textbooks were required, to see that scholars were provided with books; to make returns to the school committee and the Commissioner of Public Schools; to serve without compensation from state or town school money, or from any other source except money raised by tax in the district. After 1881 the trustee was forbidden to engage himself as teacher, but nepotism was not extirpated while he might hire his son or his daughter or his "sisters and his cousins and his aunts." The trustees, if three, must act always as a board (62, 1856). The trustees had no power to insure the district property against fire, without express authority (48, 1858; see *Holt's Appeal*, 5 R. I. 603). The trustees' power to hire the teacher was exclusive; the district could not hire the teacher (15, 1868; 62, 1856). The trustees' power to hire the teacher included the power to determine the teacher's wages by contract (61, 1855), but the trustees could not reduce the teacher's wages or dismiss the teacher (61, 1855), the last power belonging exclusively to the school committee (67, 1852; confirmed, 1855, 1861). The school teacher must hold a certificate of qualification (66, 1849). The dual control of teachers—the power of the school committee to certificate and dismiss, the power of the trustees to hire and fix compensation—brought the committee and trustees frequently into conflict. Transfer of the power to hire teachers from trustees to school committee, was more than once recommended as a solution of one of the most irritating problems incident to the district system. The right to custody of schoolhouses permitted the trustees some discretion in use; but use must be confined to educational purposes (5, 1853). A public schoolhouse might be let for a private singing school, provided public school sessions were not interfered with, even against the

protest of the district (12, 1860. But see *Barnes's Appeal*, 6 R. I. 591).

Summary.—Under the district system, the town elected the school committee and raised money for school support by taxation. The school district, an involuntary corporation with specific, limited powers, managed its school through trustees, raised money for school support by taxation or tuition (until rate bills were abolished) supplementary to school money received from the state and town, and provided schoolrooms and teachers.

THE TOWN SCHOOL COMMITTEE.

The school committee, under the act of 1828, was an administrative agency with liberal powers for school management where towns made adequate provision for school support. The Barnard act not only permitted division of towns into school districts, but also distributed administrative powers betwixt the town school committee and the trustees of school districts.

The general powers of the school committee were: (1) To elect a chairman and clerk, (2) to meet quarterly, (3) to form, alter and discontinue school districts and settle district boundaries, (4) to locate schoolhouse sites, (5) to examine and certify teachers and to annul certificates, (6) to visit all schools at least twice each term, (7) to suspend or expel incorrigibly bad pupils, (8) to prescribe rules and regulations for admission and attendance of pupils, and for their classification, studies, books, and discipline, and methods of instruction, (9) to fill vacancies in their own number pending an election, (10) to apportion state and town school money to school districts, and draw orders on the treasury therefor, (11) to report annually to the Commissioner of Public Schools and to the town, (12) to exercise the powers prescribed for trustees where the town was not divided into districts, (13) to apportion and adjust property rights when districts were divided or consolidated, (14) to approve

district taxes and tuition rates, (15) to conduct schools and engage teachers in districts neglecting to provide schools or hire teachers, (16) to make arrangement for the attendance of children at schools in towns or districts other than the town or district of residence, if more advantageous. These very important matters of school administration and management were entrusted to district school trustees: (1) The care and control of district school buildings, (2) the hiring of schoolrooms where no building was provided by the district, (3) the supplying of fuel and equipment, and (4) the hiring of teachers.

Criticism of District System.—Theoretically the division of powers might prove beneficial. From this point of view, the trustees constituted a minor school committee, representing the locality and having direct charge and care and control of the local school. Local responsibility was emphasized; local pride, local ambition to excel and local interest in the school should insure strong support and efficient management. Moreover, beyond the local committee was the town school committee, with authority to conserve the interests of the whole town in the local school enterprise; with power to regulate and standardize essential details, including the making of rules and regulations, the selection of textbooks, determining courses of study and methods of instruction, etc., and the right to supersede the trustees in instances of total neglect. Consistently with the theory of local interest, however, there could be no contingency approximating partial neglect, not to mention a situation so utterly impossible as one involving total neglect.

The inherent fallacy of the district system requires no recourse to analysis and logic for demonstration; in Rhode Island it was proved by practice and experience. As a matter of fact, the district system seldom developed earnest emulation or rivalry for leadership in excellence. The good school generally maintained by the wealthy district was beyond the purse of the taxpayers in a poorer community. Gross inequalities were

produced by the system, both in taxation for school support and in opportunities for education. Effort was scarcely needed where tax revenue was abundant; effort might prove almost in vain elsewhere. The situation of total neglect seldom developed; hence, generally the school committee's influence was limited to admonition and moral suasion. The committee's powers were negative rather than positive; it could act but rarely; it was almost impotent when power was needed to enforce its effort for improvement. Taken altogether, in the broad light of actual experience, the Barnard act, so far as it introduced the school district system in Rhode Island, was a recession from the ideal of an independent, centralized school organization which appeared clearly in the act of 1828. The story of the struggle of more than half a century to recover the ground lost by this "reform" has been told in earlier chapters.

Powers of School Committee.—Of the sixteen powers of school committees enumerated, among those not already discussed in connection with school districts which warrant consideration are the powers to locate schoolhouse sites, to examine and certificate teachers, to visit and inspect schools, to make rules and regulations for schools, and to apportion school money.

The school committee has exclusive power to locate schoolhouse sites; no other location is legal or binds the town. *Dube vs. Peck*, 22 R. I. 443; *Dube vs. Dixon*, 27 R. I. 115. The power to locate schoolhouse sites was, under the district system, an essential corollary to the power to lay out districts; the purpose of a careful delineation of district boundaries might be defeated were authority to choose the site conferred upon another body. Horace Mann and Henry Barnard both believed that the schoolhouse should be carried to the child—in the sense that it should be conveniently located and easy of access. Henry Barnard's earliest report emphasized the importance of careful attention to location. The geographical centre of a rural district might be a mile away from the centre

of population; the confluence of convenient highways must not be disregarded. Perhaps it was this last consideration which dictated the location of several schoolhouses in the middle of the road.* Placing the power to locate the schoolhouse site in the hands of the school committee removed this important matter from the domain of factional politics in the school district. Location was of almost equal importance under the town system, particularly where the area of the town was extensive and the population scattered or grouped in isolated villages. The question of convenient location is raised most frequently at the present time in connection with the consolidation of small schools for purposes of establishing graded schools, or in connection with high schools.† The school committee's power to furnish transportation for pupils solves some problems of location; the extension of electric traction service has been of incalculable value to town school systems in Rhode Island. Thus the Mann-Barnard axiom has been reversed, and instead of carrying the school to the child, the child is carried to the school.

So important a power as locating the schoolhouse site could not be exercised without creating dissatisfaction, if it were no more than neighborhood jealousy arising from a comparison of the distance to be walked by children on their way to and from school. On the other hand, in one instance at least, the proximity of the schoolhouse was considered a grievance. It was held that a schoolhouse was not a nuisance, and that the motive which prompted a gift of a schoolhouse site, if the latter was acceptable to the school committee, was immaterial (78, 1881). In the particular case a district philanthropist donated \$500, on condition that it be applied to purchasing a lot for a

* Barnard's first report. The same situation may still be observed in New England towns, where ancient public buildings stand in the highway, which divides and passes on both sides of the structure, to reunite beyond.

† For geographical centre, the Warwick high school at Westcott, now West Warwick. For population centres, the Cumberland high school at Valley Falls, and the Cranston high school.

schoolhouse site next to the dwelling house of the appellant, with whom the philanthropist was not on good terms; the appellant, who alleged that the philanthropist was actuated by spite, was without a remedy.

An early decision (*Gardner's Appeal*, 4 R. I. 602, 1858) that the school committee's selection of a schoolhouse site was final, and that no appeal therefrom lay to the Commissioner of Public Schools, was overruled. *Cottrell's Appeal*, 10 R. I. 615, 1874. Vastly more important for school administration than the narrow point decided by the ruling case was the broad principle upon which the decision rested. The earlier case had declared that the appellate jurisdiction of the Commissioner of Public Schools was limited to reviewing actions of a school committee which involved an infraction of law; the later decision enunciated the doctrine that the Commissioner of Public Schools might hear and decide appeals from lawful acts of a school committee lying within the discretionary exercise of authority conferred by law. The Commissioner's appellate jurisdiction thus became supervisory and administrative, not merely remedial.

When, in due course of time, the necessity appeared for providing a method of condemning land for school purposes, it was natural that the new power should be conferred upon the school committee.* The condemnatory procedure was simple in detail, as befitted the design to make it effective in the hands of laymen unacquainted with the technicalities of law. In its earliest form the statute provided that the school committee, after selecting and locating a site for a schoolhouse, which the school district had voted to build, should agree with the owners as to the price to be paid, or, failing to reach an agreement, should appoint three appraisers to determine the value; upon tender of the price named by the appraisers, title passed. The appraisers were required to hear the owners of the land and

* Act of 1859.

representatives of the district, both present at the same time (95, 1863). Both the district's vote to build and the school committee's choice of a site must precede condemnation, although either might precede the other, the statute prescribing no particular order. Condemnation through appraisal and tender could not proceed until an attempt to reach an agreement with the owner had failed (17, 1885; 18, 1887; 19, 1888. *Howland vs. School District*, 15 R. I. 185). As perfected, the statute provides that title to property condemned for school purposes shall pass when the school committee files in the town records a plat or description of the site; that the school committee thereafter may agree with the owners as to the price, and that the owners, in default of agreement, may petition the Superior Court for an assessment by a jury.

Certificates of Teachers.—The school district trustee hired the school teacher, but the teacher must hold a certificate of qualification issued by the school committee, a county inspector or the Commissioner of Public Schools.* The school committee might refuse to examine a candidate for a certificate if his moral character was known to be unsatisfactory (82, 1855). A certificate issued by a school committee did not qualify the holder to teach in a secondary (grammar) school; it was limited to one year and to the town of issue. The committee might further limit its certificate to a particular school (68, 1852; 69, 1852). The school committee had power to annul certificates for good cause (69, 1852), but a teacher holding a certificate was entitled to notice and a hearing before annulment (83, 1855). The power to annul could not be exercised by a single member of the committee (83, 1855), or delegated to the clerk of the committee (68, 1852; 69, 1852). When the power to dismiss the teacher was created by statute, it was conferred upon the school committee; the district trustee, who hired, could not dismiss the teacher (67, 1852; affirmed 1855 and 1861). The school com-

* Barnard act. See chapters 6 and 10 for development of certification.

mittee could dismiss a teacher holding a county certificate (83, 1855): Semble, the school committee still possesses the power to dismiss a teacher for cause, although the committee no longer possesses the power to certificate teachers. A teacher without a certificate (66, 1849), or a teacher dismissed by the school committee (82, 1855) could not draw teachers' money. Under the town system, however, a school committee that hired a teacher without examination and certification, waiving its right to examine before hiring, bound the town for the teacher's wages (85, 1895); the committee was not allowed to set up its own unlawful act, to defeat an action on a contract. Under the district system the town was not liable for the teacher's wages unless the school committee issued an order on the town treasurer therefor (97, 1877); the district was the debtor, though state and town school money available for the payment of teachers in district schools was in the town treasury. The certification of teachers became exclusively a function of the State Board of Education in 1898. •

Visitation and Inspection.—The school committee's power to visit and inspect schools was a duty as well as a privilege, two visits each term being required. How the town council of Providence thrust this burdensome obligation upon the school committee, when the latter body was secondary to the council, has been related. The importance of the visitorial power was emphasized in the evolution of the system of school administration in Providence. After experimenting with visitation and examination by committees of clergymen, the notion of expert superintendence was carried to fruition under the leadership of Dorr. Delegation of the visitorial power had become a practice in some Rhode Island towns previous to 1850; the revised school law of 1851 permitted towns to employ superintendents of schools. Twenty years later the employment of a superintendent became compulsory through the statutory requirement that the school committee appoint a superintendent where

the town failed to elect one.* Although the school committee was given exclusive power to elect the superintendent of schools in 1884, the influence of town meeting control remained effective while the town regulated the superintendent's salary, as it did until 1902. In 1903 the state undertook to promote the improvement of supervision through payment of part of the salaries of full-time expert superintendents.

The power to visit and inspect was a corollary to the power to make rules and regulations for the government of schools. The district trustees were required to notify the school committee of the time of opening and closing schools, that the school committee might make the two visits required by statute, within two weeks of the beginning and ending of the term. The language of the statute creating the power to make rules and regulations was liberal. The admission and exclusion of pupils, the conduct of schools, methods of instruction, and selection of textbooks and courses of study were within the jurisdiction of the school committee. Still, the school committee wanted the powers to compel a gradation of schools (69, 1852), to enforce a school term longer than the statutory minimum, to select the teacher and to determine salaries whereby to insure high grade instruction; even the power to dismiss an unsatisfactory teacher must be exercised with discretion and caution, lest avoidance of the evil of poor instruction involve the closing of a school.

Division of School Money.—Finally, the power to apportion school money was less flexible under the Barnard act than it had been previously. One of the reforms proposed by Henry Barnard had been the adoption of a ratio for apportioning school money, which would insure an equitable distribution. The purpose of the reform was to prevent discrimination of an unfair sort; the reform ripened into a statutory ratio for the apportionment of state school money determined by the number of

* The city council succeeded the town meeting, and had power to elect the superintendent of schools. *Verry vs. School Committee*, 12 R. I. 578.

school districts and average daily attendance, while the distribution of town school money was at the discretion of the school committee, when the town made no specific order for distribution. Town school money tended to be most conspicuous for the want thereof in the earlier years under the Barnard act. The ultimate consequence of the Barnard law was practically an equal division, wealthy and poorer districts sharing very nearly alike. Later statutes tended to make the power to apportion school money more ministerial and less discretionary as ratios of distribution were "perfected."* The abolition of districts solved the problem by disposing of it; the power to apportion to schools replaced the power to apportion to districts, with the basis of distribution founded almost inevitably upon standardization. Comparison makes gross contrast between school conditions within a town odious, unendurable and impossible of maintenance; and practically forbids an inequitable distribution. Equality of school opportunity must succeed equality of apportionment as the true test for the division of school money.

Weakness of District System.—In the review of five of the sixteen powers of the town school committee—the powers to locate schoolhouse sites, to certificate teachers, to visit and inspect schools, to make rules and regulations and to apportion school money—three new powers have appeared—the powers to condemn land for school purposes, to dismiss unsatisfactory teachers and to appoint a superintendent of schools—all important, substantial powers, tending to strengthen the position of the school committee. Yet the same review has disclosed lamentable weakness, arising from the division of powers betwixt the school committee and the school district organization. Together, the powers conferred on school committee and upon school district were ample, had they been conferred upon one body; when the powers were divided betwixt two

* See chapter on School Finance—Apportionment, for history of ratio.

bodies the school committee became an advisory rather than an executive body, where force was needed for improvement. The school committee could locate the schoolhouse site and approve the plans for building, but it could not compel the building of a schoolhouse; the school committee could approve or disapprove a proposed district school tax, but it could not compel the district to assess a tax; the school committee could examine, certificate and dismiss teachers, but the power to hire the teacher and to fix his compensation rested with the trustee; the committee could make rules and regulations, but could not compel a district to grade its school. The presumably superior body, selected by a larger electorate, averaging higher intellectually in all probability because of the wider selection, was balked by the school district or the well-entrenched district trustee, himself a taxpayer and a representative of the taxpayers—at the same time that the district derived no small part of the school revenue raised within the district from rate bills. These evils were swept away when school districts were abolished.

The loss of the committee's power to examine and certificate teachers, already noted, as the power passed to a higher authority,* marked a forward step in the direction of standardization for the schools of the state as a whole. The school committee's power to fill vacancies—embracing under the act of 1845 the replacing of district trustees as well as school committeemen—was abridged as to trusteeships by the revised school law of 1851, and lost altogether in the revision of the statutes in 1872. Except as in Providence, where under a special law ward delegations fill vacancies in their own membership, the town council fills vacancies in the town school committee until the following annual or biennial election. To the powers thus lost must be added those which were merely incidental to the district organization, and which passed away with

* The State Board of Education, 1898.

the abolition of the district system. These were the powers to form, alter and discontinue districts and settle district boundaries; to apportion school money to school districts; to apportion and adjust property rights when districts were divided, altered or consolidated; to approve district school taxes and tuition rates, and to supersede trustees where districts failed to maintain schools. Their loss was more than compensated for by powers gained by the school committee, which previously had been exercised by district trustees. These were the powers to have the custody, care and control of school property; to provide fuel and equipment for schools; to employ teachers; to provide textbooks for indigent pupils, and, in general, to manage and direct schools. In the metamorphosis the school committee became an executive where it had been merely a counsellor with little power to enforce its advice.

Rehabilitation of the School Committee.—Through the abolition of school districts the town school committee was rehabilitated; it returned to possession of the liberal powers conferred upon it by the earlier school acts, from 1828 to the Barnard act. These powers had been defined more and more clearly as school legislation was perfected. Stokes declares that one cause for dissatisfaction pervading the Providence school committee was its own inferior position and subserviency to the city council when compared with the freedom from restraint enjoyed by town school committees. These were the powers and duties with which the town school committee emerged from the abandonment of the school district system: (1) Exclusively to care for, control and manage, subject to the supervision of the Commissioner of Public Schools, all the public school interests of the town, and to draw all orders on the town treasury for the payment of school expenses; (2) to organize by choice of a chairman and clerk, and to hold at least four regular meetings annually; (3) to visit and inspect schools; (4) to elect a superintendent of schools; (5) to make rules and regulations

for the attendance and classification of pupils, for the introduction of textbooks, and for the instruction, government and discipline of public schools; (6) to locate schoolhouse sites and to condemn land for school purposes; (7) to abandon and change the location of schoolhouses; (8) to change textbooks, by two-thirds vote of the committee, not oftener than once in three years without permission of the State Board of Education; (9) to select and dismiss teachers; (10) to prescribe courses of study; (11) to provide for attendance of children at schools in neighboring towns if more convenient; (12) to suspend incorrigibly bad pupils or persistent violators of rules and regulations; (13) to report annually to the Commissioner of Public Schools, and (14) to report annually to the town meeting. The following additional powers have been conferred upon the school committee, some prior to complete abolition of the district system, others later: (15) To provide each schoolhouse with a United States flag and to cause the flag to be displayed during school hours; (16) to provide free textbooks and supplies for all pupils; (17) to approve private schools for purposes of school attendance in lieu of compulsory attendance at public schools; (18) to take an annual school census; (19) to provide for free attendance of children at high schools or academies in other towns where the town of residence has not provided a high school; (20) to appoint truant officers; (21) to issue age and employment certificates under the compulsory attendance law; (22) at discretion to establish and maintain open-air schools; (23) at discretion to appoint school physicians and provide medical inspection for public and private schools; and (24) to provide public dental clinics for pupils needing dental treatment.

The last three powers may stand as examples of the permissive form of school legislation in Rhode Island, usually the forerunner of mandatory statutes. Of similar origin was the mandatory statute compelling the appointment of a superintendent of

schools, and the statute requiring towns to provide high schools or pay tuition for pupils at high schools or academies in other towns was first permissive in form. First made an obligation of the town in 1878, the taking of the school census became a duty of the school committee in 1900. The law of 1883 permitting towns to appoint truant officers was made compulsory by penalty in 1887; in 1901 the power and duty to appoint truant officers passed to the school committee. The changes affecting the school census and truant officers both aimed at greater efficiency, and both were consistent with the principle of centralizing school authority in the school committee. The strongest influences restraining the school committee are the quasi-referendum incidental to re-election, and the amount of school money placed at the committee's disposal by the town. The school money distributed annually by the state, the annual appropriation required of the town, poll taxes, dog taxes and certain fines are at the committee's disposal; beyond these the committee must look for funds to the town meeting or the city council. Hence it is a paramount duty of the school committee so to conduct the schools of the town that they shall maintain a public consciousness of the town's obligation to the children of the town, as well as stimulate a public pride—that wholly meritorious pride which arises from the feeling that a public function is being exercised well. Spiritual values there are in schools quite as important as those which are purely intellectual, useful and efficient. Membership in a school committee offers a splendid opportunity for public service of the highest type.

THE STATE DEPARTMENT OF EDUCATION.

It is not necessary at this point to trace again in detail the history of the changing fortunes of the state department of education.* A suggestive outline recalls state aid for public schools without a central school organization from 1828 to

*See chapters 4 and 5.

1845; the brilliant prestige of the Commissioner of Public Schools established by Barnard and so well maintained by Potter; a period of declining influence and of arrested progress under Allyn, Kingsbury, Rousmaniere and Chapin; revival through the impetuous, restless vigor of Bicknell; renaissance in the creation of the State Board of Education; steady progress toward perfection of the ideal of universal free public education under the leadership of Stockwell; and extension and improvement through the combined efforts of the State Board of Education and the two Commissioners of Public Schools of the modern period—Stockwell and Ranger. The outline emphasizes personality. Personality is the dynamic influence in school administration, for which law supplies the mechanics. So potential is personality in determining the efficiency of school administration that it may not be ignored in writing narrative school history. This chapter deals with the machinery of school administration, that is, with the school law.

Early Powers of Commissioner.—The Barnard act created the office of Commissioner of Public Schools, and authorized, empowered and obligated the Commissioner (1) to apportion state aid to towns maintaining public schools, (2) to adjust and decide disputes arising under the school law, (3) to visit and inspect schools, and to suggest and recommend improvement, (4) to promote uniformity of textbooks, (5) to assist in the organization of public libraries, (6) to establish teachers' institutes and a normal school, (7) to issue teachers' certificates, (8) to appoint county inspectors, (9) to prepare forms for and to require reports from town school committees, and (10) to report annually to the General Assembly. The power to establish a normal school was ineffective for want of an appropriation. The power to appoint county inspectors, forecasting perhaps a system of school superintendence by state officers, was predestined to failure because no provision was made for salaries. Teachers failed to appreciate the professional dignity of higher

certification, and the power to examine teachers and issue certificates practically lapsed through disuse, a result accelerated no doubt by the town school committee's jealous maintenance of its own right to examine teachers. The powers to recommend school improvement after visit and inspection had disclosed faults, to promote uniformity of textbooks, to establish teachers' institutes and to assist public libraries were hortative rather than effective. The influence that usually attaches to the power to apportion money was wanting because the Commissioner's function was ministerial. He was a paymaster, bound by a scale established by law. He might withhold public money only when a town failed to maintain a school or to report; he must pay if the town reported having kept a school—whatever the quality. As a superior school officer his most effective power rested on his judicial authority as an adjuster of differences; beyond that he must exert influence through persuasion or through appeal to the General Assembly for legislation. Yet, in spite of its many almost pathetic weaknesses, the Barnard law did in fact establish a state department of education, a system of comprehensive school reports, and a state officer one of whose functions, as an educational expert, was the interpretation of these reports for the General Assembly. Perhaps it was better, in individualistic Rhode Island, that the state department of education should acquire an accession of power from small beginnings gradually, than that completion should rest upon the fiat of a single act of the General Assembly.

A Law Written for a Man.—The Commissioner of Public Schools, under the Barnard Act, was a paymaster-statistician-judge in the exercise of his effective powers; beyond these, he was a dynamic agent for school improvement. Henry Barnard had written a statute creating an office which he was admirably fitted to occupy. He had performed a task much like that of a playwright building a drama about and around the personality

of a great actor. The art of the actor in the setting which the playwright creates for him is perfect because it is natural; the player is himself. The work of the playwright is perfect in so far as it imposes no restriction upon the individuality of the player in the principal rôle. This is the finesse of subordination that has become co-ordination. An understudy whose feet barely reach the boards in his mimicry of the great actor, sometimes directs the analysis of criticism to the play itself, and the distinction between the eternal and the ephemeral dawns. The critic reaches the threshold of a viewpoint from which the works of Shakespeare, Sheridan, Goldsmith and Pinero, writing for the actors of all time, range in proper perspective with vehicles constructed for a single performer's expression of his idiosyncrasies. The Barnard act was written by Henry Barnard for Henry Barnard. It was the work of a schoolman rather than a jurist; for, though he had been admitted to the bar in Connecticut, Henry Barnard had not become a great lawyer. Elisha R. Potter's redrafting of the Barnard law gave it legal diction and legal form, where it had smacked of amateur craftsmanship.

The powers entrusted to the Commissioner were not sufficient to attract a strong man to the office. Yet, partly because the men who succeeded Henry Barnard possessed many of his excellent qualities, and partly because the people of Rhode Island realized the importance of school improvement and were generous in their support of schools, educational progress was continuous, although not at an evenly maintained rate. A thoroughly incompetent Commissioner might have permitted retroaction; a recalcitrant town, persistent in its refusal to measure up to standards, might have broken down the system. There were times when the public schools seemed to mark time rather than to advance. But it is worthy of note that progress, though sometimes arrested, never completely stopped, and that the judicial decision which disclosed the weakness of a system

of schools built upon a permissive rather than a mandatory statute (*Wixon vs. Newport*, 13 R. I. 454) involved litigation of other than a school question. No Rhode Island town was so completely unresponsive to persuasion that compulsion must be invoked. The Barnard law was enforced, it might be said, by mutual consent; and there was no resistance when the school law became mandatory in 1882.

There were three ways of strengthening the hands of the Commissioner of Public Schools as an executive-administrator. First, increasing the number of his powers; second, improving the quality of his powers by making them effective rather than hortative, persuasive and ministerial; third, strengthening the authority of his persuasion by creating a representative board or council for which he should act in his capacity as dynamic agent, and which should assume responsibility in matters of policy. What Henry Barnard's solution of the problem might be is matter for conjecture. Illness compelled him to resign before the improvement which he stimulated had spent itself. That the Commissioner's powers were neither increased in number nor improved in quality in 1851 was due, probably, to the influence of Commissioner Potter, who was a strong exponent of Rhode Island individualism. Commissioner Potter did suggest the third expedient, and presented to the General Assembly in 1855 a bill creating a board of education, which, however, failed of enactment. Subsequent Commissioners were either satisfied with the law as they found it, or wielded too little influence in the General Assembly to induce a change, until Commissioner Bicknell grasped a great opportunity to recommend the creation of a board of education, and the General Assembly responded favorably in 1870.

Board of Education Created, 1870.—The Board of Education was given "general supervision and control of the public schools . . . with such high schools, normal schools and normal institutes as are or may be established and maintained

wholly or in part by the state." Its early powers were principally advisory, however, except that it elected the Commissioner of Public Schools, who became ex-officio secretary of the Board, and that it reported to the General Assembly, the Commissioner thereafter reporting to the Board. The powers of the State Board of Education in the order of their creation are:

1. To maintain general supervision and control of the public schools of the state. 1870.

2. To prescribe and cause to be enforced all rules and regulations necessary for carrying into effect the laws in relation to public schools. 1870.

3. To report annually to the General Assembly. 1870.

4. With the Commissioner of Public Schools to manage the Rhode Island Normal School as a board of trustees, admit students thereto and pay the travelling expenses of students. 1871.

5. To elect the Commissioner of Public Schools. 1872.

6. To apportion to the several towns the state's annual appropriation for evening schools. 1873.

7. To apportion state aid to free public libraries, approve books to be counted in establishing a basis for aid, and rules for public libraries to insure use thereof to the public, convenient and free of charge. 1875.

8. To supervise payment of state aid to the Rhode Island School of Design, to appoint two of its members to be members of the board of directors thereof, and to appoint state beneficiaries of free scholarships. 1882-1884.

9. To register private schools, to furnish school registers for private schools, to require and receive reports from private schools, to visit and inspect private schools. 1892.

10. To receive annual reports from all educational institutions supported wholly or in part by the state. 1892.

11. To supervise the education of deaf, blind and imbecile children of school age. 1892.

12. To examine teachers and issue certificates of qualification and eligibility to teach. 1898.

13. To approve courses of study in high schools and standards for high schools as conditions precedent to paying state aid to high schools. 1898.

14. To certificate school superintendents. 1908.

15. To administer the teachers' pension law. 1909.

16. To present a financial report annually to the State Auditor. 1910.

17. To establish and aid travelling libraries and provide for visitation and examination of free public libraries. 1911.

18. To provide for the education of adult blind persons in their homes. 1911.

19. To approve standards of lighting, heating, ventilating, seating and other sanitary arrangements for school buildings, and proper regulations concerning the same, and communicate them to town authorities. 1911.

20. To apportion state aid to towns providing medical inspection for public and private schools. 1911.

21. To establish post-graduate courses in education in co-operation with the corporation of Brown University, and to appoint beneficiaries to state scholarships in such courses. 1912.

22. To apportion state aid to towns establishing instruction in manual training and household arts and courses in vocational industrial education. 1913.

23. To provide for the care and maintenance of children under school age who are born blind or become blind. 1913.

24. To apportion state aid, upon recommendation of the Commissioner of Public Schools, to towns whose taxable property is not sufficient at the average rate of taxation throughout the state to provide public schools of high standard. 1913.

25. To provide, in co-operation with town school committees, professional school supervision for towns which had not previous to 1915 availed themselves of the law providing state aid for supervision. 1915.

26. To provide badges for youthful street venders in cities with more than 70,000 population. 1915.

27. To appoint state scholars at the Rhode Island College of Pharmacy. 1916.

28. To administer the law for physical education and prepare a syllabus. 1917.

29. To serve as a State Board for Vocational Education, under the Federal Act for the promotion of Vocational Education, passed by Congress and approved by the President, April 23, 1917.

Powers of the State Board of Education.—A grouping of the powers of the State Board of Education based upon a classification as to subject matter affords a better means of measuring the efficiency of the Board's functions within the jurisdiction

assigned to it than a recital in the chronological order of creation. In the grouping which follows it will be noted that the Board's functions are generally effective, and that in apportioning money the Board's function is executive and discretionary; as a rule, it may insist upon standards and withhold money unless the conditions prescribed by the Board are complied with:

I. Schools.

1. Public Schools. The board maintains general supervision and control, and may establish rules and regulations necessary for carrying into effect the laws in relation to public schools.
 - a. Evening Schools. The board apportions, at discretion, an annual appropriation for the support of evening schools.
 - b. High Schools. The board's approval of courses of study, and approximation to standards established by the board are conditions precedent to drawing state money appropriated to aid high schools. Towns are required to maintain high schools or provide high school education.
 - c. Special Aid. The board, at discretion, on recommendation of the Commissioner of Public Schools, apportions an annual appropriation to assist towns unable, at the average rate of taxation throughout the state, to maintain schools of high standard.
 - d. Vocational and Industrial. The board apportions a state appropriation for the support of courses which it approves; and also apportions Federal aid for vocational education.
 - e. Medical Inspection and Sanitation. The board apportions an appropriation for medical inspection, and may establish (but not enforce) standards for lighting, heating, ventilating, seating and sanitation in school buildings.
 - f. Supervision. The board, in co-operation with school committees, may provide professional supervision for towns not drawing state aid for supervision previous to 1915.
2. Private Schools. The board registers and requires reports from private schools, and has the right to visit and inspect them. The approval of private schools for purposes of attendance in lieu of attendance at public schools, rests with town school committees.

II. Teachers and Supervision.

1. Education of Teachers.

- a. The Board and Commissioner, as a board of trustees, conduct the Rhode Island Normal School.
- b. The Board maintains post-graduate courses in education at Brown University and appoints beneficiaries to free state scholarships in the department.
- c. Improvement of Teachers in Service. Extension courses at Normal School, post-graduate courses at Brown University, teachers' courses at School of Design.

2. Examination and Certification. The board examines and licenses all public school teachers and superintendents employed in the state.

3. Teachers' Pensions. The board administers the pension law.

III. Institutions.

1. Normal School. The Board and Commissioner are the Board of Trustees.

2. School of Design. Two members of Board of Education serve as members of the board of directors.

3. Other Institutions. All educational institutions supported wholly or in part by state appropriations, report annually to the State Board of Education.

IV. Industrial and Vocational Education.

1. In Public Schools. The board apportions a state appropriation and Federal aid for vocational courses.

2. School of Design. Besides participating in the management, the board supervises the payment of state appropriations for support, and appoints to free state scholarships. The textile department is supported principally by the state.

3. Rhode Island College of Pharmacy. Scholarships and reports.

4. See Education of Teachers.

V. Education of Defective Classes.

1. The Board of Education supervises the education of deaf, blind and imbecile children of school age.

- a. Deaf. The R. I. Institute for the Deaf, under management of another board, reports to the State Board of Education.
- b. Blind. The State Board of Education supervises and provides education for blind children of school age, generally by appointment as beneficiaries at institutions for the blind. For indigent children under school age, born blind or becoming blind, the board may provide care and maintenance. For the adult blind the board provides education in their homes.
- c. Other state institutions maintaining schools report to the board.

VI. Free Public Libraries.

1. State Aid. The board apportions state aid for free public libraries, based upon the number of books in each library approved by the board, and also prescribes rules and regulations intended to secure free use of books to public.
2. Travelling Libraries. The board maintains and aids travelling free public libraries.
3. Library Visitor. The board employs a library visitor, to visit and inspect free public libraries.

VII. Reports.

1. The board receives reports from—
 - a. The Commissioner of Public Schools.
 - b. Private schools.
 - c. All educational institutions supported wholly or in part by public money.
2. The board reports to—
 - a. The General Assembly.
 - b. The State Auditor.

VIII. The board elects the Commissioner of Public Schools.

THE COMMISSIONER OF PUBLIC SCHOOLS.

The purpose of creating the State Board of Education seems to have been, in the first instance, the provision of moral force to strengthen the hands of the Commissioner of Public Schools in the exercise of his advisory functions. Certain powers of the Commissioner were transferred by subsequent legislation to the

State Board of Education, notably the powers to establish a normal school and to certificate teachers. While the Commissioner retained the power to assist public libraries by advice, the Board acquired the greater power to regulate public libraries and aid them with money. The power to appoint county inspectors was abolished, and the Commissioner was removed from direct contact with the General Assembly through the direction of his annual report to the Board instead of to the Assembly. The Commissioner became secretary of the Board, and was associated with it as one of the members of the Board of Trustees of the Normal School. In the 48 years since 1870 the State Board of Education has accumulated the imposing array of powers and functions already enumerated. What has become of the Commissioner of Public Schools meanwhile? is the question naturally suggested. Has the paymaster-statistician-judge and dynamic agent of the quarter-century from 1845 to 1870 become merely an executive secretary for the State Board of Education? As such his influence would be extensive and impressive. But the General Assembly, at the same time that it widened the jurisdiction of the State Board of Education has increased the powers of the Commissioner of Public Schools. The powers of the Commissioner of Public Schools, in the order of their creation are as follows:

1. To visit as often as practicable every town in the state, for the purpose of inspecting the schools and diffusing as widely as possible by public addresses and personal communication with school officers, teachers and parents a knowledge of the defects, and of desirable improvements in the administration of the system and the government and instruction of the schools. 1845.

2. To recommend and bring about as far as is practicable a uniformity of textbooks in the schools of all the towns. 1845.

3. To apportion the state's appropriation of teachers' money. 1845. The amount of the appropriation has been increased from \$25,000 to \$120,000.

4. To provide teachers' institutes. 1845.

5. To assist in the establishment and selection of books for free public libraries. 1845.

6. To furnish blanks for annual reports required from school committees. 1845.

7. To hear and decide appeals in disputes arising under the school law. 1845.

8. To supervise the public schools generally. 1845.

9. To direct courses of study, prescribed by town school committees. 1845.

10. To provide lectures on educational topics, to publish and distribute educational publications, and to promote the cause of education in the state. 1845.

11. To provide registers for public schools. 1846.

12. To remit fines and penalties, 1846. Except state money forfeited by failure of a town to raise its quota of school money. 1848. By and with the consent of the State Board of Education after 1874.

13. To report to the State Treasurer forfeitures of state school money. 1848.

14. To serve ex-officio as secretary of the State Board of Education. 1870.

15. To report annually to the State Board of Education. 1870.

16. To serve as a member of the Board of Trustees of the Rhode Island Normal School. 1871.

17. To draw orders, approved by the State Board of Education, for payment of state aid to free public libraries. 1875.

18. To provide blanks for taking the school census. 1878.

19. To apportion to towns state aid for the purchase of dictionaries, encyclopædias, reference works, maps, charts, globes and other school apparatus. 1880.

20. To prepare and distribute a printed programme for Arbor Day. 1891.

21. To approve applications for state aid for high schools and to towns consolidating ungraded schools and establishing in their stead graded schools. 1898.

22. To prepare and distribute a printed programme for Grand Army Flag Day. 1901.

23. To apportion state aid for the payment of salaries of superintendents of schools. 1903.

24. To enforce the teachers' certificate law by withholding state aid when towns hire teachers without certificates. 1903.

25. To prepare and distribute a printed programme for Rhode Island Independence Day. 1908.

26. To serve as a member of the Board of Managers of the Rhode Island State College. 1909.

27. To report annually to the State Auditor a complete statement of bills and accounts incurred, due and remaining unpaid, and a statement of unexpended balances of school appropriations. 1910.

28. To appoint an Assistant Commissioner. 1910.

29. To furnish test cards, appliances, record books and rules for conducting sight and hearing tests. 1911.

30. To formulate a uniform code for fire drills. 1912.

31. To determine, under the age and employment certificate law, what evidence of a child's age shall be received when the birth or baptismal certificate or passport of the child cannot be found. 1913.

32. To recommend to the State Board of Education an apportionment of the appropriation for special aid. 1913.

33. To appoint two physicians in Providence to make examinations of children who apply for age and employment certificates. 1915.

34. To visit schools conducted in institutions under the care of the Penal and Charitable Commission, and to make recommendations for their conduct and improvement. 1917.

35. To furnish blanks for dental inspection. 1917.

36. To serve as State Director of Vocational Education. 1918.

The Commissioner of Public Schools is still a paymaster; he apportions, generally by ratios fixed by law, four annual appropriations, which aggregate in excess of \$170,000. He is still a statistician and a judge; the latter function is of far greater importance than the number of appeals actually heard and decided indicates, now that the abolition of the district system has swept away one field for prolific discord. His advice is sought frequently in advance of decisive action which might be made the basis of litigation, and he is able through diplomatic negotiation sometimes to guide those on the verge of dispute to a peaceful solution of a vexing problem. His appellate jurisdiction lends force to his counsel, as it makes him also a recognized arbitrator and conciliator.

On the dynamic side, the Commissioner of Public Schools is still a school visitor, an adviser of school authorities, a counsellor of teachers, the prime mover in teachers' institutes, a publisher

of educational documents and printed programmes for days of special school observance. He has become an important factor in the administration of the school interest in the age and employment certificate law. He holds four offices by virtue of being Commissioner of Public Schools: He is Secretary of the State Board of Education, Secretary of the State Board for Vocational Education, a Trustee of the Rhode Island Normal School, and one of the Board of Managers of the Rhode Island State College. He is also the state's recognized representative in interstate educational relations.

Some notion of the activities of the Commissioner of Public Schools may be gleaned from a list of the twenty-five divisions of service in his office: 1. General supervision and control of public schools, rules for instruction and government of schools, courses of study, etc. 2. Division of accounts. 3. Reports and recommendations. 4. Special reports. 5. Training of teachers; Normal School. 6. Certification of teachers and superintendents. 7. Teachers' institutes. 8. Teachers' pensions. 9. Public libraries. 10. Travelling libraries. 11. State free scholarships. 12. Education of blind children. 13. Education of adult blind. 14. Relations of state with private institutions of learning. 15. Publications. 16. Appeals. 17. Registers, blanks, supplies, etc. 18. Apportionment of appropriations. 19. Board meetings, conferences and addresses. 20. Interstate relations. 21. Age and employment certificates. 22. Visitation of schools. 23. General correspondence. 24. Vocational education. 25. Miscellaneous.

The Unwritten Law.—An analysis of the powers of the Commissioner of Public Schools which ventures not beyond the literal provisions of the statutes and a liberal interpretation of these fails to disclose a function belonging to the Commissioner which is perhaps paramount to his authority by reason of the written law. This undisclosed function lies in his relation to the State Board of Education. In his capacity as executive

agent for the State Board of Education he wields extensive and effective authority, but no careful student of the school law familiar with the legal notion of principal and agent, need be deceived nor hesitate to distinguish the powers which are actually the Commissioner's, and those which are delegated to him, in the exercise of the latter of which his function is truly ministerial. He is elected annually by the Board of Education and serves ex-officio as its secretary; this transcript of the statutes does not paraphrase his most important relation to the Board of Education and to the public school system of the state, however. History furnishes a key to the situation as it is. Rhode Island has never ceased to regard the Commissioner of Public Schools as the successor of Henry Barnard; the Commissioner is still the state's educational leader and expert. Forty-eight years ago the General Assembly created the State Board of Education mainly to strengthen the position of the Commissioner. In the years which have followed the Board has been entrusted with vast powers in an extensive jurisdiction, but the traditional relation of the Board and the Commissioner has never been altered. The Commissioner of Public Schools is the expert adviser of the State Board of Education. The Board looks to him for leadership; he looks to the Board for support. No Commissioner whose counsel was persistently disregarded would remain in office; no Board would re-elect a Commissioner whose leadership it could not follow. Legal language fails to describe adequately the delicacy of this relation of the Board and the Commissioner. No General Assembly has ever attempted to phrase it and write it into the statutes. Yet the student of administration in Rhode Island who fails to discover this relation has missed a function of the Commissioner of Public Schools which is of almost transcendental importance. As a consequence of this relation the Commissioner of Public Schools formulates and the Board of Education voices a large part of the educational policy of the state. It raises the Com-

missioner of Public Schools to an official dignity impossible were he merely a secretary and a ministerial functionary.

A STATE SCHOOL SYSTEM.

Until 1882 it might be said, accurately, that the public schools of Rhode Island were town schools. In spite of the facts (1) that towns and cities derived their power to levy taxes for school support from the general laws of the state, (2) that school committees were elected under general laws, derived their powers from the statutes and were independent of control by town governments, (3) that schools were aided by state appropriations distributed pro rata, as well as by town taxation, (4) that certain revenues of the towns, derived from poll taxes, dog taxes and fines, could, under the Constitution and the laws, be applied to no other purpose than school support, (5) that the town school administrative organization was prescribed by statute and did not vary radically from town to town, (6) that the town schools were fundamentally uniform in type, though varying somewhat in detail and quality, (7) that town schools were subject to state supervision and inspection, (8) that the state had provided a normal school for the training of teachers, (9) that courses of study were subject to approval by the Commissioner of Public Schools, and (10) that the Commissioner of Public Schools was by statute a judicial officer for the adjustment of disputes arising under the school law—the maintenance of schools and the appropriation of money for school support were *permissive* rather than *mandatory*. The Supreme Court, in 1881, declared: “The statutes of the state relating to free public schools do not make it the imperative duty of the several towns and cities to establish and maintain such schools, but create a general school system, under which the several towns and cities voluntarily establish and maintain public schools, receiving from the state certain allotments of money to help defray the cost of instruction.”* Conscious of its

* *Wixon vs. Newport*, 13 R. I. 454.

obligation to education, the state was encouraging towns to establish schools, by annual appropriations to aid the towns. In 1882 the word *shall* replaced the word *may* in the statutes, and the school law became mandatory. Thereafter the school system might be regarded as a state system, instead of a town system—in which the towns became agents for the state in establishing and maintaining the schools which the state had decreed should be open to all its citizens; in which town taxation for school support was a device for adjusting a public burden amongst the people of the state; in which the towns became trustees of public school property. Later school statutes have strengthened the state view; among the most important of these have been the compulsory attendance laws and the attempts to perfect them, the free textbook law of 1893, the law of 1896 placing Providence schools under the general school law, the teachers' certificate law of 1898, the mandatory high school law of 1909, the teachers' minimum salary law of 1909, and the act of 1913 providing special assistance for towns unable, at the prevailing rate of taxation throughout the state, to maintain schools of high grade. Twelve factors that establish the accuracy of the state view are: (1) Mandatory maintenance, (2) compulsory attendance, (3) special state assistance, (4) state licensing or certification of teachers, (5) state education for teachers, (6) minimum salary for teachers, (7) minimum school year, (8) mandatory provision for high school education, (9) prescription of part and direction of the remainder of the course of study, (10) free textbooks, (11) state supervision through the Commissioner of Public Schools and the State Board of Education, and (12) the judicial authority of the Commissioner of Public Schools. The state school system centres in the state department of education, that is, in the State Board of Education and the Commissioner of Public Schools, who is ex-officio secretary of the State Board of Education and its chief executive agent.

The State Schools.—The Rhode Island State system of schools consists of:

1. Free public primary and elementary schools, established and maintained by the cities and towns of the state under mandatory statutes, and partly supported by state appropriations.

Attendance is compulsory until the course of eight grades is completed or until the pupil has completed 16 years of life, or having completed 14 years of life, is regularly employed and otherwise complies with the provisions of the age and employment certificate law. Instead of attending a public school a child may be instructed privately or sent to a private or parochial school; in such cases the substituted education must be in English and must be approved by the town school committee. Tax exemption, the visitorial powers of school committees, the Commissioner of Public Schools and the State Board of Education, and the requirement of approval establish relations which bring private and parochial schools into the state system of schools.

2. Free public high schools, established and maintained by the towns and cities of the state under mandatory statutes and partly supported by state appropriations.

Towns not maintaining high schools are required to make provision for high school education for town children at approved public high schools in other towns or at approved academies, and receive state aid on the same per pupil basis as towns which maintain high schools. Tax exemption, visitation and approval bring certain academies into the state system.

3. The Rhode Island State College, established by the state and maintained, in part by state appropriation, and in part by appropriations and the income of funds provided by the government of the United States. Tuition at the college is free to residents of Rhode Island.

4. Free public evening elementary and high schools, established and maintained by towns and cities and supported in part by state appropriations.

5. The Rhode Island Normal School, maintained by the state, whose function is the education of teachers for the free public schools. Tuition is free to residents of the state.

6. The graduate department of education in Brown University, established by the State Board of Education and the corporation of the university, for the purpose of training high school teachers, principals and superintendents of schools.

7. The Rhode Island School of Design, an institution established by public-spirited citizens, controlled by a quasi-public

corporation and supported partly by private aid and the income of trust funds, and in large part by state appropriations. The state pays for free state scholarships.

8. Rhode Island College of Pharmacy and Allied Sciences. Free state scholarships.

9. A group of special institutions—

a. The State Home and School, for neglected and dependent children.

b. The Rhode Island Institute for the Deaf.

c. The Exeter School.

d. The Sockanosset School for Boys—correctional.

e. The Oaklawn School for Girls—correctional.

The Administrative Force.—The administrative force for the state-town system of free public schools consists of:

1. The State Board of Education.

2. The Commissioner of Public Schools.

3. Town school committees, employing—

a. Superintendents of schools.

b. Principals and teachers.

c. Truant officers.

d. Census enumerators.

e. Medical inspectors.

This administrative force is essentially independent of the system of city and town government.

Educational Institutions.—The state's educational institutions are administered by—

1. The Board of Trustees of the Rhode Island Normal School, consisting of the State Board of Education and the Commissioner of Public Schools.

2. The Board of Managers of the Rhode Island State College, including the Commissioner of Public Schools.

3. The Board of Trustees of the Rhode Island School of Design, which includes two members of the State Board of Education and the Commissioner of Public Schools.

4. The Board of Trustees of the Rhode Island Institute for the Deaf, which reports to the State Board of Education.

5. The Penal and Charitable Commission, which controls the Rhode Island State Home and School, the Sockanosset and Oaklawn Schools, and the Exeter School, and reports to the State Board of Education.

PROBLEMS OF SCHOOL ADMINISTRATION.

In the foregoing historical treatment of school administration in Rhode Island, emphasis has rested principally upon the creation of an organism, consisting of officers, committees and boards, to administer a system of schools, and upon the powers, functions and duties of the organism as a whole and of its parts. The work has, in the main, been descriptive and analytic. Where synthesis has followed analysis it has proceeded little further than enumeration and classification. Relations and correlations remain to be established, particularly between the "duty to do" and the "thing to be done." In the outline of school administration in Rhode Island, which follows, the reader who has studied carefully what has gone before will find himself in familiar surroundings dealing with facts which are, for the most part, not new. Still, he is not asked merely to retrace his steps; as a review and summary the outline presents a new perspective.

School administration is an art or an applied science which rests upon the school law. Conversely, the school law is the framework of the state's educational system and contains the fundamental principles of school administration. An outline of the school law, arranged topically, may serve, therefore, as an outline for school administration, suggesting the problems of school administration and setting forth the law's solution of them as it provides the machinery for action and names the person or body which is charged with the "duty to do" the "thing to be done." Such an outline of the law, and therefore of school administration, follows:

A. *School Property—The Physical Equipment.*

I. Land and Buildings.

1. Provision of school accommodations is an obligation of the town. If the town fails to provide quarters, the school committee may provide temporary quarters at the expense of the town.

2. Location of school sites is the exclusive function of the school committee—subject to the usual appeal.
3. Condemnation proceedings are inaugurated and conducted by the school committee.
4. Plans for school buildings, with standards for heating, lighting, ventilating, sanitary arrangements and seating may be approved by the State Board of Education and communicated to town officers conducting school building operations.
5. Construction legally should be under supervision of school committee. The practice varies from town to town, however. The school committee, joint committees of the town council and special committees appointed in town meeting act. In Providence and Cranston the city councils control construction and reparation.
6. Closing a school does not operate as an abandonment of property for school use.

II. Furniture and Equipment.

1. Equipment of a new school building is a function of the school committee, except in Providence and Cranston.
2. Replacing furniture and equipment is a function of the school committee.

III. Books and Apparatus.

1. Choice of textbooks rests with the school committee. The state department's authority to encourage uniformity of textbooks is only hortative. Change of textbooks is permitted only once in three years, without the approval of the State Board of Education first being obtained.
2. Books and supplies must be provided by the school committee at the expense of the town.

B. *School Finance.*

I. Sources of School Revenue.

1. General taxation and appropriations. Every town must appropriate at least as much money for support of schools annually as it receives from the state. Penalty, forfeiture of state school money, without release from responsibility.
2. State support of public schools.
 - a. Teachers' money. \$100 per school up to 15 schools per town; participation in the apportionment of the balance of \$120,000, on the basis of school population.

- b. Aid for high schools. \$25 per pupil up to 25 pupils; \$15 per pupil from 26 to 50 pupils—paid to towns maintaining high schools or sending children to academies or high schools in other towns. Provision of high school education mandatory.
 - c. Aid for evening schools. The State Board of Education apportions an annual appropriation.
 - d. Teachers' minimum salaries. The state pays one-half the amount necessary to raise all teachers' salaries to the minimum of \$400.
 - e. Supervision. The state pays \$750 annually toward the salary of a superintendent of schools receiving at least \$1500. The State Board of Education may provide supervision for certain towns, at an expense not to exceed \$750 per town.
 - f. Apparatus. Up to \$10 per school and \$200 per town, the Commissioner of Public Schools may pay half the expense of providing apparatus, dictionaries, reference books, etc., for public schools.
 - g. Manual training and household arts. The State Board of Education may pay half the cost of providing apparatus.
 - h. Industrial education and vocational courses. The State Board of Education may pay half the cost of instruction.
 - i. Medical inspection. Up to \$250 a town may receive from the state half the cost of medical inspection for public or private schools.
 - j. Graded schools. The state pays \$100 for each department of a graded school produced by the consolidation of three or more ungraded schools; also \$100 for each ungraded school consolidated with a graded school.
 - k. Special aid. To assist towns unable at the average rate of taxation throughout the state to maintain schools of high standard, the state appropriates \$5000 annually.
- 3. Poll taxes and dog license money must be transferred to the town school account annually on the first Monday in May.
 - 4. Tuition paid by out-of-town pupils must be transferred to the town school account.
 - 5. Proceeds of the sale of school property, other than land and buildings, must be transferred to the town school account.

6. Fines under the truancy law belong to the school account.
7. Gifts and endowments for school support, if accepted, must be used and administered according to the trust.
8. Federal aid for vocational education, apportioned by State Board for Vocational Education.

II. Custody of school money.

1. State school money is paid to the town treasurer.
2. School appropriations remain in the custody of the town treasurer.
3. Town treasurers are required to keep a separate account of school money.

III. Payments.

1. Orders on the school funds may be drawn only by the school committee.
2. Disbursement of school money is limited to school purposes.
3. Limitation of the discretion of the school committee in expending school money is not favored. It has been held that appropriations for special school purposes simply transfer money to the general school account, for expenditure by the committee at discretion. Separate appropriations for construction of new schoolhouses are customary, however, because the school building and the land upon which it stands are town property, originally and ultimately.
4. Interference with the school committee's right to apportion school funds, such as, for instance, an ordinance establishing salaries, is illegal, and so a designation of special purposes does not bind the school committee.

IV. Town liability for school expenses.

1. The town's duty to provide sufficient school accommodations and schools is mandatory. Hence
 - a. The school committee may charge the town's credit for the support of schools when no money for school purposes has been provided or is available.
 - b. Insufficient appropriations do not limit the school committee's duty and right to provide and conduct schools.

- c. Deficits, while they should be avoided if possible, are not unpardonable when the town's appropriations for school support are insufficient.

V. Financial Reports.

1. Town treasurers are required to report—
 - a. To the school committee on July 1 the amount of school money available for the current school year and the sources from which it has been derived.
 - b. To the Commissioner of Public Schools, the amount of town school appropriations, the payments made from the town treasury for school purposes, and the accounts to which they have been charged.
2. School committees are required to report—
 - a. To the town in town meeting.
 - b. To the Commissioner of Public Schools.
3. The double system of reports enables the Commissioner of Public Schools to check up accounts for errors.

C. *School Teachers.*

I. Eligibility and certification, or licensing.

1. Certification or licensing of teachers and superintendents of schools is exclusively a function of the State Board of Education.
 - a. Professional certificates are issued—
 1. To graduates of colleges who have completed six courses in education.
 2. To graduates of approved normal schools.
 - b. Non-professional certificates and temporary or special certificates are issued upon successful examination.
2. Revocation of certificates for cause is a function of the State Board of Education.
3. Employment of a teacher without a certificate is reason for forfeiture of so much of the town's share of school money as equals the wages paid by the town to the teacher thus illegally engaged.

II. Selection, appointment and dismissal of teachers are exclusively functions of the school committee.

1. Appointments of teachers and superintendents are made directly or confirmed by school committees. The power to appoint, subject to confirmation, is sometimes delegated to a sub-committee or to the superintendent.

2. No person is eligible to appointment as teacher or superintendent unless he holds a certificate.
 3. Tenure of employment is presumably for the whole or the balance of a school year of at least 36 weeks. In some towns employment, after a probationary period, is practically during good behavior; the term "permanent" is used. A contract giving the committee right to terminate it on notice is contrary to public policy.
 4. Dismissal of the teacher is a function exclusively of the school committee; it must be for cause, and the teacher has a right to a hearing.
 5. Termination of the teacher's employment other than by expiration of term or dismissal for cause, may be only for such reasons as would excuse the school committee from fulfillment of a contract.
 6. A member of a school committee is not eligible for election as teacher or superintendent.
- III. The teacher's salary must be at least \$400 annually for a school year.
- IV. Duties of the teacher.
1. To observe and enforce rules and regulations.
 2. To teach the course of study.
 3. To keep a school register and report to the Commissioner of Public Schools, if requested.
 4. To keep records of vaccination, and exclude from school children who are not vaccinated or excused from vaccination.
 5. To implant and cultivate in the minds of the pupils sound principles of morality.
 6. To prepare programmes for observance of school holidays.
 7. If in charge of a building, to conduct fire drills.
 8. To conduct physical education twenty minutes each day.
- V. Pensions for teachers are provided by the state, the law being administered by the State Board of Education.
- VI. Schoolmasters are exempt from jury duty.
- D. *School Administration and Supervision.*
- I. Rules and regulations for the government of schools may be adopted and enforced by school committees, subject to approval by the Commissioner of Public Schools.

II. Courses of Study.

1. For common schools may be adopted by the school committee, with the direction and advice of the Commissioner of Public Schools.
2. For high schools, are adopted by the school committee, subject to approval by the State Board of Education.
3. Must include instruction in alcoholic physiology.
4. Must include physical training.

III. A minimum school year of 36 weeks is prescribed by law. For high schools the minimum school year approved by the State Board of Education is 38 weeks.

1. January 1, February 22, May 30, July 4, October 12 and December 25 are school holidays. Falling on Sunday, the day following is the holiday.
2. February 12, May 4 and Arbor Day are days of special school observance.

IV. A superintendent of schools must be employed by the town school committee. By assuming payment of part of the superintendent's salary, the state encourages the employment of full-time superintendents.

1. The statutory duties prescribed for the superintendent are:
 - a. To undertake the duties prescribed for him by the school committee.
 - b. To conduct sight and hearing tests annually.
 - c. To be the chief administrative agent of the school committee.
 - d. To assist the committee in keeping records and making reports.
 - e. To recommend teachers for appointment.
 - f. To recommend textbooks, supplies, and equipment.
 - g. To recommend repairs and improvements.
 - h. To report to the committee at least annually.

V. Health of school children.

1. Medical inspection for public and private schools may be provided by the school committee.
2. Superintendents are required to conduct sight and hearing tests annually.

3. School committees may provide dental clinics.
4. The law prescribes physical education.

E. *Pupils.*

I. Right to attend school.

1. No person may be excluded from any public school because of race or color, or for being more than 15 years of age, or for any reason except by general rule applicable to similar cases.
2. The right to attend school includes the right to high school education at the expense of the town if no high school is provided by the town.
3. A pupil may be refused admission or excluded from school if he is not vaccinated, or excused from vaccination by reason of danger to his health.
4. Failure of success in maintaining standards—backwardness—is not a valid reason for exclusion.
5. Incurably bad conduct permits the school committee to suspend a pupil, but not to expel him.

II. Compulsory Attendance.

1. Children 7 to 16 years, inclusive, must attend day school.
2. Responsibility of the child. The child must attend day school regularly until he is at least 16 years of age, or until he has completed the eight elementary grades, or until being over 14 years old, he is legally employed or engaged in business; and thereafter in both instances as long as he is sent to school by his parents.
3. Responsibility of the parent. The parent must send his child to school until the child is 16 years old, or has sooner completed the eight elementary grades, or is over 14 and legally employed or engaged in business; but is excused if the child's mental condition forbids it, or the child has not suitable clothing, or if the child is excluded from school by operation of a general rule.
4. Responsibility of employer. No child under 14 may be employed, and no child over 14 and under 16 without an age and employment certificate.
5. Age and employment certificates, permitting employment, are issued by school committees to children who meet all the following requirements:

- a. Age, 14 years. Age must be proved by birth or baptismal certificate or by passport, or by other evidence satisfactory to the Secretary of the State Board of Education.
 - b. Ability to read at sight and write legibly simple sentences in the English language.
 - c. Satisfactory physical examination by a licensed physician, who must certify that the child is in sufficiently sound health to engage in the employments permitted for children. The state pays for the examination; the Commissioner of Public Schools appoints two examining physicians for Providence.
6. Exceptions. In lieu of attendance at public school, the child may attend an approved private or parochial school, or may be instructed privately if the instruction is approved by the school committee.
7. The machinery for enforcing the law:
- a. The school committee must have an annual census of children of school age taken. Returns of the census must be made to the Commissioner of Public Schools.
 - b. Teachers are required to keep attendance records, and report truancy.
 - c. The school committee must appoint truant officers, whose duties include attention to truants and to those children who do not attend or are not sent to school.
 - d. Factory inspectors, as well as truant officers, are required to enforce the age and employment certificate law.
 - e. Age and employment certificates are valid only during employment.

III. Rights and Duties of the Child in School.

- 1. The child is entitled to attendance in his own town free of charges for tuition, and to free textbooks and supplies of all kinds necessary for his work.
- 2. The child is bound to attend school regularly, and to conform to rules and regulations, and reasonable standards of deportment.
- 3. Services may not be required of the child.
- 4. Hazing is a criminal offence.

F. *Law Enforcement.***I. Appeals to the Commissioner of Public Schools.**

1. Any person aggrieved by any action or doing of a school committee may appeal to the Commissioner of Public Schools. The Commissioner must hear the parties and render a decision.
2. The Commissioner's jurisdiction is not confined to appeals arising from illegal action of school committees; he may review any action of a school committee, even action within the discretion of the committee.
3. The Commissioner's decision is final when approved by a justice of the Supreme Court.
4. The Commissioner has no effective power to enforce his decision; in civil court proceedings based upon failure to comply with his decision, the matter decided is *res adjudicata*. *Mandamus* is the remedy suggested.

II. The right to appeal to the Commissioner does not deprive the party who might appeal of his right to seek relief in the law courts.**III. Mandatory statutes.**

1. Obedience by municipalities and public officers is presumed.
2. *Mandamus* affords an extraordinary remedy for violation.
3. The school committee, as a body distinct and separate from the municipal organization, may charge the town's credit when the town has failed to provide "ways and means" to meet the requirements of law.

IV. Attractive legislation.

1. The state encourages compliance by state aid.
2. Hortatory legislation tends to become mandatory.

V. Penalties. In certain instances the law provides penalties by forfeiture or fine.**VI. In the last analysis enlightened public opinion is the most effective instrument for law enforcement.**

CHAPTER X.

THE SCHOOL TEACHER.

There is no element in a school more essential than the teacher. A school may be conducted without books, blackboards, maps, charts or other school apparatus; with nothing attractive or instructive to cover the bare walls of a poorly constructed, wholly unsuitable building. The unfinished walls themselves may be made eloquent auxiliaries of the teacher, as they were in the primitive schoolroom of Pestalozzi. The teacher makes the school; the memory of the good teacher lingers after classmates, school books and schoolroom are forgotten; when the intimate image of a particular old schoolhouse has faded into a more general recollection of a "little red schoolhouse" somewhere.

Of early Rhode Island public school teachers town records preserve many names. The early schoolmaster sometimes had a vocation that he pursued in connection with, if not in correlation with, his avocation of education. In churchly towns he might be rector of the village church; Robert Lenthal, the first Rhode Island schoolmaster, was called to Newport both to teach in the town school and to preach in the town church. William Turpin, the first Providence schoolmaster, kept an inn.

The salary of the early Rhode Island schoolmaster was a meagre compensation, even for the service of education. Land grants for school purposes were intended to furnish the master with a "living," which he was compelled to extract from the soil largely through his own labor. Sometimes the "living" was supplemented by a small annual salary from the town treasury, but quite as often the town became merely the guarantor of a

minimum salary, agreeing to make up the balance of a salary not received in tuitions paid by pupils. There is ample reason for belief, from careful reading of records, that more than one early town schoolhouse was a dwelling as well as a schoolhouse, occupied by the schoolmaster rent free as part of his compensation. This certainly was true of the Potter school at Newport. Payment of salaries was not invariably made in money; the early records sometimes specify other "legal tender."

Professional teachers made their appearance in the eighteenth century. The professional teacher might work at a trade or other occupation incidentally, but he was not, as was the seventeenth century schoolmaster, following another occupation as his principal business in life and teaching incidentally. From being an avocation, teaching with the professional teacher had become a vocation. The Jacksons and Taylors of Providence were professional school teachers, and the records of other towns preserve other names of professional schoolmasters. In the list of professional teachers of the eighteenth century such names as Casey, Crocker, Donally, Knox and Slattery indicate the popularity of Irish schoolmasters, many of whom were esteemed as excellent teachers, who endeared themselves to their pupils. A mysterious schoolmaster, known in reminiscence as Mr. A. B., taught school excellently in several towns, furnished books for his pupils, received pupils without tuition, and vanished without disclosing his identity. The field of early school history is quite as romantic as authentic. Women teachers began to replace men toward the middle of the nineteenth century.

QUALIFICATIONS OF THE TEACHER.

The earliest standard of qualifications for school teachers appeared in the school law of 1800, section 9 of which provided that "no person shall establish or direct, as master or preceptor, any school or academy of instruction in reading, writing, grammar or mathematics unless he shall be a native or naturalized

citizen of the United States, and be approved by a certificate in writing from the town council of the town in which he shall teach; and any preceptor or schoolmaster who shall establish or direct any school or academy as aforesaid, not being a citizen and not having a certificate as aforesaid, shall forfeit and pay as a fine the sum of \$50, to be recovered by indictment for the use of the state, or by action of debt, one half for the use of the person who shall prosecute the same and the other half to the use of the state."

The law of 1800 was repealed before any test could be made of its application to teachers even in public schools. It ventured somewhat beyond any modern Rhode Island law governing certification of teachers, in so far as it required that all teachers in all schools, whether public or private, hold certificates issued by public authority. The compulsory attendance law, through which the state and towns supervise and regulate private instruction so far as it purports to impart the education common to all prescribed by law, requires that private instruction, attendance at which is accepted in lieu of attendance at public day schools, shall first be approved as substantially equivalent, in content and in method and in effectiveness, to public school instruction, but gives to public school official administrative agencies no direct control over teachers in other than public schools. The town school committee may refuse to approve a private school for purposes of the compulsory attendance law, and if the hours of instruction in the private school conflict with those of attendance at public day school, effectually close the private school for want of pupils. But if the hours of instruction and attendance do not conflict, then the private school may go on unrestricted save by the law of diminishing probability.

The act of 1800 aimed at certification of every teacher of the common branches, whether employed in public or private schools. Perhaps it may be interpreted as reflecting the state's general attitude toward public education. It probably was

not anticipated that the free public schools to be established under the act of 1800 would accommodate so large a proportion of the school population as do the modern free public schools. If a considerable proportion, perhaps the larger proportion of the public's children were to be educated in private schools, then it was important that private school teachers be examined and licensed to teach if the state assumed no greater responsibility for education of the public's children than the maintenance of standards for instruction. The large number of private schools conducted in Providence between 1800 and 1828, at the same time that the town was maintaining four free public schools, indicates the relative importance of the private school and private instruction in the period. With the rapid extension of the public school after the state, in 1828, undertook in earnest a share in the burden of supporting public education, the relative importance of private schools diminished rapidly. Select private schools now are educating not quite one per cent. of children of school age; parochial school attendance is approximately one-sixth of school population.

Petitions for improvement of public schools in Providence and reports upon the condition of these schools in the first quarter of the nineteenth century almost invariably condemned the inefficiency of teaching, assigning two reasons, one of which, that salaries paid were too low to attract competent instructors, indicted both the teachers and the public administrative agencies in control of the schools, and the other, that classes were so large as to make effective instruction impossible, absolved the teachers.

The school law of 1828 specified no particular qualifications for teachers. School committees were empowered to "appoint all the schoolmasters or school mistresses to be employed in teaching the schools, taking care that such masters and mistresses are qualified for the task." The law of 1839 marked a forward step, in its provision that "the school committee shall

appoint all instructors and instructresses, taking care that they be of good moral character, temperate and otherwise well qualified for the office." School committees were required in 1842 to "ascertain by their personal examination, or that of a committee to be appointed by them, the qualifications and capacity for the government of schools of all instructors that may be employed in their respective towns." No person could be employed thereafter in any public school "unless before he opens such school his qualifications and capacity shall be ascertained . . . and he shall obtain from the committee of examination a certificate that he is qualified to teach such school." Providence, North Providence, and Smithfield were exempted from the provisions of this act.

The Barnard law of 1845 required every teacher employed in schools supported in whole or in part by public money to hold (1) a certificate signed by the chairman of the town school committee, or a sub-committee empowered for the purpose, or (2) a certificate signed by a school inspector appointed for the county by the Commissioner of Public Schools, or (3) a certificate signed by the Commissioner of Public Schools. Certificates issued by or under authority of the school committee were valid for one year and only in the town; certificates signed by county inspectors were valid for two years, and in any town in the county; certificates signed by the Commissioner of Public Schools were valid for three years and in any public school in the state. School officers, school committees, county inspectors and the Commissioner of Public Schools were forbidden to issue certificates of qualification to teachers "unless the person named in the same shall produce evidence of good moral character and be found on examination, or by experience, qualified to teach the English language, arithmetic, penmanship and the rudiments of geography and history, and to govern a school."

The "remarks" published with the school law added: "No person should be considered qualified to teach any school, who

cannot speak and write the English language, if not elegantly, at least correctly. He should be a good reader, be able to make himself understood and feel all that the author intended. He should be able to give the analysis as well as explain the meaning of the words of the sentence, and to explain all dates and names and allusions. He should be a good speller. He should understand practically the first principles of English grammar . . . He should also be able to write a good hand, *to make a pen and to teach others how to do the same*. He should show his knowledge of geography by applying his definitions of the elementary principles to the geography of his own town, state and county, and by questions on the map and globe. He should be able to answer promptly all questions relating to the leading events of the history of the United States and of his own state. In arithmetic he should be well versed in some treatise on mental arithmetic, and be able to work out before the committee . . . such questions as will test his ability to teach the textbooks on arithmetic prescribed for the class of schools he will be engaged in." The "remarks" suggested teaching a practice class or lesson as a good test for ability to teach.

In practice and experience, in spite of the longer term for state and county certificates, and their validity in a wider territory than a single town, and in union grammar as well as in primary schools, few teachers sought certification by other than town school committees. In 1857 the school committee became the exclusive agency for examining and certificating teachers, continuing so until the establishment of the Rhode Island Normal School. To insure recognition of the Normal School diploma, the trustees were given authority to certificate teachers.

Until the revision of the statutes in 1872 there was no change in the letter of the law relating to certificates issued by school committees. Except for omission in 1873 of the requirement that the teacher should be able to "make a pen," there was no change in the instructions for school committees concerning the

examination of teachers for certification until 1896, when the School Manual suggested that the "committee would also have the right under the law to grant a certificate for one term at least, without an examination, to a person having a diploma from an accredited normal school or college." The General Statutes of 1873 provided that "the school committee shall not sign any certificate unless the person named in the same produce evidence of good moral character, and be found on examination qualified to teach *the various branches required to be taught in the school.*" The change consisted merely in the substitution of a general statement of content for the specific subjects named in earlier statutes.

The school committee was given authority in 1877 to limit its certificates to a portion of a year, the law reading: "Such certificate, unless annulled, if signed by the school committee, shall be valid in the town for one year, or for such portion thereof as shall be specified in said certificate." In practice committees had long ago established the custom of limiting certificates to particular districts or schools, and the right had been sustained by a decision of the Commissioner of Public Schools in 1852. The appeal on which the decision was rendered was carried to the Supreme Court on a question of procedure. The Supreme Court in its decision laid down the rule prescribing mandamus as the proper process for enforcing the Commissioner's decision. *Randall vs. Wetherell*, 2 R. I. 120.

The State Board of Education was made the exclusive agency for examining and certificating public school teachers in 1898. The law provided that "no person shall be employed to teach, as principal or assistant, in any school supported wholly or in part by public money unless such person shall have a certificate of qualification issued by, or under the authority of the State Board of Education. The State Board of Education shall hold, or cause to be held, in such places in different parts of the state, and at such times as they may

determine, examinations for the position of teacher in the public schools of this state; and said Board of Education is hereby authorized to issue certificates of qualifications, which shall be valid throughout the state for the grade and time specified therein." The Board was given also the power to annul certificates for cause, a power formerly exercised by school committees. The committee's power to annul certificates was not specifically repealed by the act of 1898. Subsequent legislation has aimed to make the certificate law more effective by providing a penalty for the employment of a teacher without a certificate. The certificate law was extended in 1908 to cover persons employed as superintendents of public schools.

The law of 1898, which substantially is the law at the present time, entrusts to the State Board of Education the authority to examine and certificate teachers, and to determine the qualifications that the teacher must have for certification. The law of 1898 permitted the State Board of Education to issue certificates of qualification without examination to persons who had taught in the public schools of Rhode Island for three or more years, upon filing a written application approved by the school committee of the town wherein the applicant had taught the greater part of the three years preceding the date of application. The General Laws in 1909 gave to the State Board of Education general authority to issue certificates without examination, in a section which provides: "Said State Board of Education may, in their discretion, issue certificates of qualification without examination, to persons who may present evidence of qualification and shall comply with the regulations of said Board." The State Board of Education has exercised the power to grant certificates without examination to further a general educational policy resting upon the principle that proof of preparation for teaching is much better evidence of ability to teach and to govern a school, than a successful examination. It is scarcely possible, and it is en-

tirely impracticable to attempt, to set examinations so comprehensive and so thorough as to test accurately the ability of the candidate, and to eliminate entirely the element of chance. The grading of certificates has emphasized the importance of training, and school committees have co-operated with the State Board of Education in promoting its policy by giving preference in selecting teachers to those whose certificates rested upon preparation. Thus what was first an incidental power—the right to issue certificates without examination—has in practice become a more important power than the right to examine and certificate. In recent years, excluding renewals of certificates on proof of satisfactory experience and service, of new certificates the number granted on examination has varied between 10 and 15 per cent., over 85 per cent. of new certificates being granted on proof of suitable training and preparation for teaching.

The records of the State Board of Education, covering 20 years as an exclusive agency for the examination and certification of teachers, provide an unusual accumulation of information concerning the personnel of the public school teaching corps. These records show that more than four-fifths of Rhode Island teachers have had professional training for teaching, a proportion probably exceeded nowhere in the United States. Comparisons with other state systems, however, may not be made generally, because so few states maintain exclusive certifying agencies or so complete records. The Board's records and records kept by the Rhode Island Normal School also show that a much larger proportion of those prepared for teaching make it a life work than had been believed. The number of certificates renewed from time to time indicates that teachers continue in service, and proves the stability of the teaching personnel in Rhode Island. The average professional life of the Rhode Island public school teacher is many times greater than the common estimate. All this counts for better service and

better schools. In succeeding paragraphs it will be shown that Rhode Island has aimed at improving the qualifications of teachers by preparing well-qualified teachers rather than solely by excluding those found upon examination not to be well qualified.

PREPARATION FOR TEACHING.

It may be possible to establish and maintain qualifications for public service by law and to select a competent personnel by examination or otherwise, provided agencies, public or private, are educating persons sufficiently, and definitely enough in particular instances, for the service. Thus the United States Government has been able to recruit the personnel of the general civil service without undertaking to provide special education or special educational institutions for the training of those whose employment has been deemed necessary. For two departments of public service, the army and the navy, the Government established schools at an early period, and it has from time to time supplemented the professional schools at West Point and Annapolis by other agencies. When the state of Rhode Island in 1845 undertook definitely to improve public schools, and particularly instruction in public schools, it was realized that no public or private agency in the state was educating and training teachers for public schools, and a normal school for teacher training was authorized. After failure of the department of education established at Brown University in 1850, and a private normal school opened in Providence in 1852, the state in 1854 provided an appropriation for a public normal school. The course of study at Rhode Island Normal School may serve as an approximately fair measure of standard qualifications for teaching in Rhode Island public schools.

The course of study for the early public normal school included geography, physical and political, with the use of the globe and outline maps, and map drawing; orthography,

phonetic and etymological analysis; English grammar, with analysis of sentences; rhetorical reading, including analysis of language, history of the English language and literature, and the critical study of select works; original composition and other rhetorical exercises; logic; writing, including spelling, paragraphing, capitalizing, and punctuation; history of the United States; Constitution of the United States; Constitution of Rhode Island; school laws of Rhode Island; general history and chronology; natural history, botany, zoology, chemistry and astronomy; natural, mental and moral philosophy; arithmetic, algebra, geometry, trigonometry; vocal music; the art of teaching, including the history and progress of education; the philosophy of teaching and discipline, as drawn from the nature of the juvenile mind, and the application of these principles under the ordinary conditions of the common schools.

Applicants for admission must pass a satisfactory written and oral examination in reading, writing, spelling, arithmetic, geography and English grammar. Studies were arranged, so far as possible, to permit (1) a thorough review of elementary studies, and (2) pursuit of branches which might be "considered as an expansion of the elementary studies, or collateral to them," with (3) emphasis upon "the art of teaching and its modes." Every subject of study was considered "with reference to the best methods of teaching it."

It is interesting to note that the distinctly professional subjects included in the present day trivium—school methods, school management and school law—required of all candidates for professional certification, constituted the trivium of professional courses in the early normal school curriculum, and in the first curriculum of the present Rhode Island Normal School.

The first Rhode Island public normal school was removed to Bristol in 1857, and closed its doors in 1867. The present Rhode Island Normal School was established in 1871. The course of study, covering two years, was such that it was

expected that graduates of high schools might complete it in one year. That is to say, the professional course was actually one year. The studies to be pursued were: Arithmetic, algebra, geometry, and bookkeeping, the work in mathematics covering three of four terms; grammar, analysis of the English language, rhetoric and English literature, three terms; chemistry, physiology and hygiene, botany, zoology, astronomy, mineralogy, geology, and natural philosophy (physics), three terms; geography and history, two terms each. The fourth term was devoted to astronomy; mental and moral science, including the principles and art of reasoning; theory and art of teaching, including (1) principles and methods of instruction, (2) school organization and government, (3) school laws of Rhode Island; and the Constitutions of Rhode Island and the United States. Drawing was taught with special reference to its use in common schools. Instruction was given in the principles and practice of vocal music, and the best methods of teaching the same. General exercises were given daily in composition, vocal culture, object lessons and in gymnastics. Latin, Greek, French, German and other "advanced studies," were offered, but must not be pursued "to the neglect of the English course." Applicants for admission were examined in reading, spelling, penmanship, arithmetic to involution, geography, grammar, and (after 1872) in United States history. Graduates of high schools were admitted without examination.

In the catalogue for 1877 the list of subjects in the course of study was supplemented by a paragraph for each course outlining the content and describing methods of study and presentation. The number of lessons in each study was as follows:

Junior A class—Geometry, 100; elementary chemistry and physics, 100; physiology, 100; language (capitals, punctuation, letter writing, and composition), 100. Junior B class—Arithmetic (through decimals), 100; drawing, 50; lessons on plants, 50; lessons on animals, 20; geography, 100; reading (articula-

tion, pitch, force, modes of teaching), 100; grammar (analysis and parsing), 80. Middle class—Advanced arithmetic, 100; algebra, 100; rhetoric, 100; English literature, 100; physical geography, 30; history (general and United States), 70. Senior class—Astronomy, 100; physics, 100; mineralogy or geology, 20; science and art of teaching (1, psychology; 2, moral science; 3, school instruction; 4, school order and school government), 150. Advanced course—Latin, Greek, French, German, mathematics and natural science.

The description of the course in the science and art of teaching, important in this study because of its bearing upon the content of educational science required in the period, follows:

1. Psychology. Teaching the subject inductively, the general outline being developed from the facts of the pupil's consciousness. Reading and analysis of subjects included under psychology, as presented in reference and textbooks. Practice in teaching psychology, by members of the class. Class discussions of questions suggested by reading and recitations. . . .

2. Moral science. Objects: To gain a knowledge of the fundamental principles of morality as determined by the mental and moral nature of man, and to form plans for giving moral instruction, by object lessons to young pupils and precepts to older pupils. . . .

3. School instruction. Modes of teaching and study. Course of study arranged for the primary school, for the intermediate or secondary school, and for the grammar school. Arranging plans for teaching. Teaching exercises. Discussion of the art of teaching, occasioned by the exercises presented.

4. School order and school government. Organization of school. Tardiness and absence. School records and returns. Necessity of school government. Modes of securing the ends of school government. Causes of failure in school. Government, external to the teacher; on the part of the teacher. Conditions of success. The marking system. The self-reportive system. Corporal punishment. Other and better modes as determined by the nature of the child. Communication during study hours. Unconscious influence of teacher. The teacher's relation to society. *Æsthetics* in the schoolroom. Lessons in manners and morals.

The course in the science and art of teaching aimed at thoroughness and completeness. To the criticism that it occupied, proportionately, too small a part of the complete course of study, the answer may be given that the function of the normal school of the period was not exclusively professional. The training of teachers for professional service, while public high schools were supported in a comparatively few towns, must include instruction in the content of academic studies, as well as professional education.

The "objects of the school" were stated in 1878, as follows:

1. To aid the pupils, and to prepare them to aid others in securing firm physical health.
2. The selection and the topical arrangement in natural and logical order of the objects and subjects which the pupils are to teach in the public schools of the state. This includes modes of using textbooks in studying and in teaching, according to the topical mode.
3. To gain a knowledge of the subject matter of the several branches included in the "course of study."
4. To gain a knowledge of the principles of teaching as determined by the faculties of the human mind and the laws of their development.
5. To gain a knowledge of the best methods of teaching and to acquire skill in the use of methods, by teaching.
6. To gain a knowledge of the principles and methods of school organization and government. Since self-control is the first condition of the power to govern others, the pupils of the normal school are trained to habits of self-control.
7. To lead those who are to teach to that appreciation of the value of good teaching which is essential to the genuine enthusiasm of a teacher.
8. The formation of the character of those who are to teach. This object in its moral significance is the most important object of this school.

Variations in the number of periods allotted to subjects and in the descriptive paragraphs were made from time to time, but the course in the science and art of teaching remained unchanged until 1881. In that year a fifth paragraph was added, an-

nouncing an opportunity for observation and practice teaching, as follows:

"Observation and practice in teaching. The schools of Providence furnish an excellent opportunity for members of the senior class to acquaint themselves with the government and instruction of excellent schools of every grade. The arrangement made by the superintendent of schools and teachers of the city, by which members of the senior class have real practice in teaching, is a great service to them. The co-operation of teachers in this city in aiding the pupils to make the best use of their opportunities for observation and practice is worthy of special commendation."

The course was lengthened to three years in 1884, but graduates of accredited high schools were admitted to the senior class, and were graduated in one year. Essentially the course had been remodelled; the first two years constituted a preparatory course. The third-year course included: Logic, psychology, reading methods, ethics, mineralogy, science methods, drawing, arithmetic methods, pedagogy, geology, grammar methods. It was almost wholly professional, including the subjects then considered essential to prepare a high school graduate for teaching a public elementary school.

Mention of the special arrangement for observation and practice teaching was dropped from the catalogue after 1885. The catalogue was rewritten and rearranged in 1893. Announcement of the opening of a model and training school was made as follows:

"A model and training school has been established in connection with the normal school, and will be opened at the beginning of the next school year. It is one of the Providence primary schools, and is located at the corner of Benefit and Halsey streets, about one-half mile from the Normal School. It will consist of three model and five training rooms, and will embrace the first five years of school work. The model rooms are for observation, and students of the normal school will first study systematically the work carried on here. This will give then a full view of the primary course in operation, and opportunities to observe children under instruction. The training rooms are for practice under the direction and criticism

of skilled training teachers. Each student of the Normal School during the last year of his course will spend a considerable portion of her time in practice, and a part of the time will have actual charge of a room."

When the Rhode Island Normal School removed to the present location in 1898, the lower floor of the new building was occupied by an observation and training school. Since then the demand for enlarged facilities has been met by establishing training schools in town and city public school buildings in various parts of the state. The characteristic arrangement consists of two public schoolrooms under a critic teacher, who is a member of the normal school faculty. Two normal school students are directly in charge of the schoolrooms, but under the instruction and guidance of the critic teacher, who divides her time between the two schoolrooms. Each student is responsible for the instruction of the pupils of one schoolroom, teaching approximately half time under the observation of the critic, and half time alone with her pupils. The critic supervises the work of the student-apprentice teachers, criticises it, points out faults, and suggests means and methods for improvement. The training given the student-apprentice teacher is thorough, and the student-apprentice teacher must prove her ability to teach and govern her school before she may be recommended for a diploma. Practice teaching in the observation school, and teacher training in the training schools have been developed so thoroughly as to give the Rhode Island Normal School acknowledged leadership.

The general course of study has been remodelled from time to time. When the maintenance of public high schools or the provision of facilities for high school education was made a mandatory town obligation, the normal school was relieved of responsibility for offering courses paralleling the work of public high schools for students coming to it from towns which previously had supported only elementary schools. Consequently

the preparatory course was eliminated as early as possible, a measure hastened in some part by the necessity of finding accommodations for larger numbers of students desiring only professional instruction.

The abandonment of the preparatory course permitted an enrichment and extension of the professional course. From being a course that a high school graduate might cover in one year of attendance, the professional course now covers three years, and normal school graduation in Rhode Island stands for seven years of school attendance and preparation for professional service, beyond graduation from an elementary school.

The most recent catalogue says: "The purpose of the school is to provide efficient teachers for the children of the state. For this important work the school employs four main agencies:

1. The normal department, for the study of educational theory and of the subject-matter taught in the public elementary schools.

2. The observation division of the training department, for providing opportunity to see experienced teachers at work with classes of children such as are found in other public schools. This department is also used to some extent for experimental and demonstration work. It is here that the normal students make their first attempts at teaching groups of children.

3. The practice division of the training department, for experience in teaching in public schools under the guidance of skilled critics.

4. The extension division, for those who are already teaching, whether normal graduates or not. Under this heading are included the regular Saturday lecture course, afternoon and Saturday classes, exhibitions of books and materials and of children's work, lecture courses by normal school teachers in various parts of the state, and such other aid as may be given by a corps of specialists in education.

The course of study is arranged under several general titles, as follows:*

Education: 1. Introduction to the study of education. 2. The child and the school. 3. Elementary psychology.

*Review courses for students conditioned on entrance are usually numbered one, and explain the apparent inconsistency in numbering courses in arithmetic, English, and drawing.

4. Educational psychology. 5. Observation. 6. Pedagogy. 7. Rhode Island school law and administration. 8. History of modern elementary education. 9. Practice teaching in the school of observation. 10. Conference. 11. Teaching in the training schools. 12. Psychology of school subjects.

History: Two courses in methods.

English: 2, 5, 6. Oral reading. 3. Oral and written composition. 4. Grammar. 7. Literature. 8. English method.

Science: 1 and 2. General science. 3. Botany and physiology. 4. Zoology. 5. School gardening. 6. Nature study.

Geography: Two courses in methods.

Arithmetic: 2. Principles and processes in arithmetic. 3. Methods in the teaching of arithmetic. 4. Advanced arithmetic.

Art: 3, 5. Elementary drawing and art appreciation. 4. Hand work. 6. Methods in art teaching. 7. Applied pedagogy in art.

Music: 2. Sight singing and theory of music. 3. Methods of teaching public school music. 4. Practice in teaching public school music.

Household arts: 1. Sewing for teachers. 2. Cookery. 3. Domestic arts.

Physical education: 1 and 2. Practical work and demonstrations. 3. Theory of physical education. 4. Practice teaching of physical education.

Penmanship: Practical methods of teaching.

Library science: Practical instruction in library methods, care of books and reference books.

Candidates for admission must be graduates of public high schools or approved secondary schools, and must pass entrance examinations in arithmetic, English, history, geography and drawing, unless the candidate presents a certificate that he has completed successfully an approved review course during the high school course. Special review courses are maintained for those who fail in an entrance examination. Failure in two examinations disqualifies the candidate until the next examinations are given.

The Rhode Island Normal School has been the chief agency for teacher training in Rhode Island. In recent years other facilities for training teachers have been developed at Rhode

Island State College, at Rhode Island School of Design, and at Brown University.

The state has undertaken, as part of its responsibility for supporting free public education, the training, at its expense, of those who are to become teachers in the public schools. It has improved teaching by establishing minimum standards for certification or license to teach, and by providing the means of attaining the standards. Moreover, it has undertaken to improve the qualifications of teachers in service (1) by extension courses at the normal school, (2) by the maintenance of a summer school at the normal school, (3) by teachers' institutes, (4) by providing educational addresses and lectures for meetings of teachers, (5) by maintaining a professional library of educational books for loans to teachers, and (6) by publishing and distributing educational books, pamphlets, circulars and tracts.

THE TEACHER'S "CONTRACT."

While the word "contract," in its exact legal meaning of a mutual agreement, is a misnomer when applied to the relation of the teacher to his employer, the word may be used in a special and limited sense as the best that the English language affords for concise expression of the idea of the relation. The relation of the teacher to the public school system is not and may not be determined exclusively by mutual agreement or contract. The state by statute and by other school law has established certain elements of the relation, and public policy, as well as the law, forbids a mutual agreement that attempts to waive rights reserved to either party by law, or that attempts to set up rights that in their enforcement might violate statutory or other school law, or public policy.

The school act of 1800 provided "that the town councils of the several towns shall have the government of the town and the district schools in their respective towns." The town council in Providence was the body actually in control of the

free public schools, nominally under the management of the town school committee, and employed and dismissed teachers. The act of 1828 placed public schools under control of school committees, with "power to make all necessary rules and regulations, which they may deem expedient, for the good government of the public schools in their respective towns," and "to appoint all the schoolmasters or schoolmistresses to be employed in teaching the schools, taking care that such masters and mistresses are qualified for the task," and "to dismiss a schoolmaster or schoolmistress in case of inability or mismanagement." The revised school law of 1839 read as follows: "The school committee shall appoint all instructors and instructresses, taking care that they be of good moral character, temperate and otherwise well qualified for the office; and may dismiss said instructors or instructresses in case of inability or misconduct." The power to employ the teacher was given in 1845 to school district trustees, whose duty it was "to employ one or more qualified teachers for every fifty scholars in average daily attendance." The power to dismiss the teacher was reserved for the school committee, to be exercised through the committee's right "to annul the certificates of such teachers as shall prove, on trial, disqualified, or who will not conform to the regulations adopted by the committee." The obvious neglect to provide for dismissal when the teacher held a certificate issued otherwise than by the committee was met by the suggestion that the school committee apply to the Commissioner of Public Schools or the county inspector to revoke the certificate of a teacher who had proved unsatisfactory, and was remedied in 1851 by a law providing that "The school committee may dismiss any teacher, by whosoever examined, who shall refuse to conform to the regulations by them made, or for other just cause."*

*The school committee could not delegate the power to annul a teacher's certificate. *Randall's Appeal*, 1853. The school committee's right to dismiss a teacher holding a county certificate was sustained. *Potter's Appeal*, 1855. The school committee's right to annul

The school committee was given the rights by an act passed in 1857, "after five days notice in writing" to "annul the certificates of such as prove unqualified or will not conform to the regulations of the committee," and to "dismiss any teacher who shall refuse to conform to the regulations by them made, or for other just cause." After 1872 the school committee could dismiss only after "reasonable notice and a hearing of the party."

The power to annul the teacher's certificate remained unchanged in the letter of the statute, although the power to certificate teachers was no longer exclusively a function of the school committee after the establishment of the Rhode Island Normal School in 1871. No occasion arose for testing the committee's questionable right to annul a certificate granted by the Trustees of the Rhode Island Normal School. When the State Board of Education was given exclusive power to examine and license teachers the committee's right to annul certificates probably was abolished through operation of a general clause in the act of 1898 repealing all acts and parts of acts inconsistent therewith. All doubt was removed when the statutes were revised in 1909.

As the law stands now the State Board of Education examines and certifies teachers, and may annul any certificate "after due notice to the holder thereof, and an opportunity for a hearing if desired." The school committee engages and hires teachers, and may "on reasonable notice and a hearing of such teacher, dismiss any teacher for refusal to conform to the regulations by them made, or for other just cause."

If the teacher's relation to the public school system be examined from the viewpoint of contract, the power to engage the teacher may be called the right to enter into a contract, and

a certificate after a hearing and for just cause was sustained. *Appeal of Emor Smith*, 1855. Out of the last mentioned appeal came the Supreme Court decision that the Commissioner of Public Schools, after his decision has been approved by a Justice of the Supreme Court, may not reopen an appeal and grant a rehearing. *Appeal of Smith*, 4 R. I. 590.

the power to dismiss the teacher may be called the right to terminate the contract. Both are essential to complete freedom of contract, and the law recognizes a general right to terminate a contract by making the right to "specific performance" an "extraordinary remedy." Since 1845 the right to enter into a contract has been divided, and the right to dismiss, until the abolition of districts, was exercised by the school committee, which was not a party to the original engagement. If the relation of the teacher to the public school system has been contractual since 1845, therefore, we are dealing with a peculiar sort of contract, particularly when it is remembered that the school committee's right to certificate teachers carried with it the right to limit the certificate to a prescribed territory or school, and the right to limit the certificate in time, rights which might be exercised effectually to control the contract to hire. So the State Board of Education may limit its certificates, and does actually issue special certificates for particular employment and for limited periods of time. Since 1845, therefore, the teacher has been obligated to two parties representing the public school system, the party granting certificates or licenses to teach, and the party actually making the engagement for service. So also, the teacher sometimes has been compelled to deal with two parties who exercised an effective power to terminate the teacher's employment, through the right to annul the teacher's certificate or to dismiss the teacher. Against arbitrary exercise of either power to terminate the contract the law has aimed to protect the teacher by specifying the reasons warranting annulment or dismissal, and giving the teacher reasonable notice, an opportunity for a hearing,* and an appeal to the Commissioner of Public Schools. A relation so intricate may be studied to better advantage, however, entirely aside from contract. From this point of view, the teacher becomes a public official engaged in a public service, exercising certain definite

* A hearing includes the right to introduce testimony of witnesses other than the teacher. *Appeal of Brown*, 1917.

rights, undertaking certain definite obligations and responsibilities, bound by the law to perform certain definite duties, and entitled to certain definite rights. Enlightened public policy has established this professional and legal status for the teacher in pursuance of a definite aim to improve public schools. The rights and duties of the teacher may be summarized briefly as follows:

1. The teacher must hold a certificate issued by or under the authority of the State Board of Education. No member of a school committee is eligible for employment as teacher, principal, assistant, supervisor or superintendent in any school under the control of his committee.*

2. The teacher must be employed by the school committee.†

3. The employment must be for the school year, unless the teacher is employed as a substitute, or to fill a vacancy, or to complete an unfinished term, or to fill a vacancy temporarily.

In this connection, a form of teacher's contract reserving to the school committee the right to terminate the engagement on notice seems to be illegal. The effect of the contract would be to give the committee a right to dismiss the teacher for other than the "just cause" stipulated in the law, and without the hearing which the law requires. Sound public policy is violated by frequent changes of teachers.

In some towns the teacher is appointed first for a probationary period and may expect reappointment from year to year during satisfactory service.

4. The employment may not be at a salary less than \$400 per year.‡

The teacher's right to salary is not contingent upon the continuance of school or upon the sufficiency of school funds.§

5. The teacher's duties, prescribed by statute:**

(a) To keep the school register and make reports requested by the Commissioner of Public Schools.

*Chapter 68, Sections 1 and 7, General Laws, 1909.

†Chapter 67, Section 9; Chapter 73, Section 6, General Laws, 1909.

‡Chapter 458, Public Laws, 1909.

§*Hardy vs. Lee*, 36 Rhode Island, 302.

**School Law of Rhode Island, 1914, page 93.

- (b) To keep a record of pupils vaccinated.
- (c) To implant and cultivate in the minds of all children committed to his care the principles of morality and virtue.
- (d) To conform to the rules and regulations prescribed by the school committee.
- (e) To prepare suitable programs for school holidays.

6. The teacher's certificate may be annulled by the State Board of Education, after notice and a hearing, or the teacher may be dismissed by the school committee after reasonable notice and a hearing, for refusal to conform to rules and regulations, or for other just cause.

THE STATE AND THE TEACHER.

The state educates the teacher at public expense. The state aims to improve the qualifications of teachers in service by providing many and varied opportunities for more professional education and training than the minimum requirements for certification. The state has established a legal status for the teacher as a public officer, and protects the teacher in his employment. The state has aimed to improve the economic status of the profession of education. The largest annual appropriation for public education is apportioned for use exclusively for payment of teachers' salaries. The statute law prescribes a minimum annual salary for teachers, and the state has undertaken a portion of the burden of maintaining the minimum salary. Certification unquestionably has improved the professional status of the teacher, and every improvement in the professional status of the teacher has an effect, ultimately, upon the economic status of the teacher. The average salary of the public school teacher has advanced rapidly since the State Board of Education was given exclusive authority to license teachers. In the past decade the average salary has been increased more than \$100. No state has been more generous than Rhode Island in the matter of pensions for teachers. Rhode Island maintains the only statewide teachers' pension supported exclusively and solely by the state. No munici-

pality has been asked or is permitted to contribute to the teachers' pension; no teacher has been taxed, or assessed, or invited, or permitted to contribute even a penny to the teachers' pension. The teachers' pension is granted under general law, and rules and regulations made by the State Board of Education, after long service in the profession of education, or after disability rendering the teacher unable to render efficient service. As it affects the economic status of the teacher, the pension may be viewed as a deferred salary, payment of which, after years of service, relieves the teacher of some part of the burden in earlier years of making provision by saving for the years when old age tends to make him less efficient in a system of schools, which must from time to time be readjusted to meet the ever changing demands of the social environment. The state, however, has justified the pension, as it has other measures for the improvement of teachers, from the viewpoint of public advantage. Thus higher salaries are justified, because better salaries tend to attract to the profession those who are more capable, whereas a low scale of salaries would tend to diminish the probability that capable persons would enter the profession. Education of teachers at public expense is justified by the fact that private education of teachers has failed to meet public requirements. Every measure that protects the teacher in his employment ultimately is for public advantage, for the same general reason that an employment that is not secure is not likely to attract those who are provident. The pension may be justified as a measure tending to improve the economic status of the profession and making it more attractive, and also because it permits the state, in a way entirely worthy and honorable to itself, to remove from active service those teachers who are no longer able to respond readily and to adapt themselves to the changes made necessary by the development of the social functions and responsibilities of the school. It is entirely creditable to Rhode Island that for nearly three-quarters of a century the

state has recognized the importance of the educational principle that counsels constant effort to improve the teacher as the most important element in the school, and that the state has pursued a public educational policy consistent with this principle. The fruition of educational statesmanship has been the creation and maintenance of a teaching personnel nowhere surpassed when tested by preparation for professional service, by efficiency in the practice of teaching, by alertness and general willingness to undertake measures for further advancement, and by loyalty to the school as the state's most significant institution for the safeguarding of ideals of democratic citizenship. The teachers, acting through two representative associations, have adopted a code of professional ethics, and teachers are bound by a pledge of loyalty and service.

ETHICS OF THE PROFESSION.*

The watchword of the profession is service. No teacher can hope to do his best without the spirit of self-forgetfulness and self-sacrifice. Nothing is more unprofessional than the preference of one's own ease and comfort to the welfare of the school and the pupils. Rather, professional obligation requires that one give a large measure of his strength and time to his pupils. He must never measure the extent of his service in terms of money rewards or material advancement. A teacher should always cherish the ideal of the dignity of his profession. He should seek public support and sympathy only through sane, conservative and rational appeals to an intelligent community.

Loyalty to his superiors should invariable characterize the words and actions of a subordinate everywhere. As long as one remains a member of a school organization, loyalty to the interests of the school and community demands the entire suppression of irresponsible criticism of the institution, its policies and its officers. Especially to be avoided and condemned are inciting, encouraging, or tolerating antagonisms among pupils toward officers or policies.

A practice to be unsparingly condemned is that of giving up with scant ceremony for the sake of a better offer elsewhere a

*Extracts from "Principles of Ethics and Comity for the Profession of Education" adopted by the Barnard Club and endorsed by the Rhode Island Association of Women Teachers, 1915.

position that has been unconditionally accepted. A teacher who definitely accepts a position should perform the duties of that position during the term of engagement unless it is distinctly stated, as a part of the engagement, that he may leave at any time after proper notice.

A clear release from previous or conflicting engagements should be considered an indispensable prerequisite for eligibility to subsequent employment. It is clearly allowable for a teacher, with due consideration for the interests of the school with which he is at the time engaged, to ask for a release, as a matter of kindness and courtesy on the part of his employers, submitting with due loyalty and good faith to the decision of the employing authority. If possible, without consequences exceptionally injurious to the schools concerned, loyalty and professional comity will prompt school officials to release, as soon as their positions can be satisfactorily filled, teachers who can materially better themselves elsewhere.

Since our system of free public education is a division of the people's government, and since all school officers and teachers are public agents, to whom the people have entrusted the great public interest of education, it behooves the teacher or officer, in loyalty to the service in which he accepts an appointment, to be thoroughly imbued with the fundamental principles of our democracy, which are the basal principles of school administration. He should be thoroughly familiar with school law, as the source of his powers and duties as a teacher and as the basis of professional ethics in his relations as a public servant. In assuming an appointment he obligates himself, legally as well as morally, to understand the public will as expressed in law and custom, to be faithful to that will, and to execute it intelligently.

Teachers should set for themselves a progressively higher standard of knowledge of their subjects. While no teacher can expect to have absolute knowledge of his subjects, whatever unqualified statement he makes should be the exact truth. Accurate scholarship is a prime factor in commanding respect and confidence, in securing attention, and in furnishing an ideal for the class. Furthermore, the teacher should keep constantly before his mind the ideal of self-improvement. He should always have the attitude of a learner. He should desire a thorough knowledge of the subject-matter that he is called upon to teach, and each year he should add to his stock of information in his own and in related subjects. He should, however, realize that the scholarly ideal includes more than a mastery of subject-matter. He should seek to know the minds of his pupils; he should aim to keep in touch with the advanced thought in his profession; he should

be aware of the tendencies, modifications, and changes in the field of education as a whole, and he should have intimate knowledge of conditions in his own special field. For these reasons, every teacher should be a subscriber to at least one professional journal of recognized worth, should read a few of the most important books on education, including those appearing each year, should visit the classes of other teachers, and should at as frequent intervals as practicable attend teachers' meetings, and enroll in summer or extension courses in normal schools, colleges, or universities.

Teachers should not consider themselves a class set apart simply to instruct children from nine o'clock until four. The teacher's function is the making of good citizens. The growing tendency towards a social and civic life in each neighborhood centering in the school building will afford teachers an opportunity for participating in social and civic service. Principals and teachers should encourage the establishment of local groups and associations of youths and adults—recreational, educational and civic—at the school buildings for the purpose of creating and extending an active, intelligent and progressive local citizenship, alive to all the projects and problems of the life of the neighborhood, thus forming an organized and effective part of the public opinion of the whole community. The teacher who appreciates the broadening influences of these activities on his vocation in its relation to the children and his duty to the parents and state will have a higher conception of education. The educational process is not simply formal, but largely inspirational, affecting the children's thoughts and emotions in larger ways, initiating feelings and tendencies toward future actions, reaching beyond the home, into the workshop and market place, into social service and active citizenship.

School and home are natural allies for the education of the public's children. Teachers and parents are joint-teachers of our children and youth as citizens of the state. Teachers, with school officers, should give due recognition to the interests and rights of the home and seek to establish friendly relations and intelligent co-operation between parents and themselves. Public education is maintained for the sake of the public, but it regards private and individual interests. The best way to promote public welfare through education is to provide a school education for the individual needs of pupils.

The highest duties of the teacher center in his pupils. His is the work that makes or mars the efficiency of our school organization. His service to his pupils, which is a service to community and state, is the real honor of the profession of education. Given ample authority by law to govern his school, the teacher directs its activities as a wise counselor and friendly guide.

Placed in authority over his pupils, he may become to each a kind and helpful friend, not only an instructor of truth, but also an inspirer of life, teaching them the civic virtues of freedom, fairness, and fraternity. As instructor he is to lead the learner into new fields of truth, as inspirer he is to encourage the pupil and stimulate his self-effort, as governor he is to temper justice with mercy, as protector he is to guard the rights of pupils, and as teacher he is to energize worthy character. In his relations to his pupils, the teacher should recognize his professional obligation in the statutory injunction, "Every teacher shall aim to implant and cultivate in the minds of all children committed to his care the principles of morality and virtue." The teacher is charged with this duty by the public will, expressed in a law that is even silent on the question of subjects to be taught.

THE TEACHER'S PLEDGE OF LOYALTY.

Every teacher applying for certification is required by the State Board of Education to subscribe to the following oath or pledge of loyalty:

I, as a teacher and citizen, pledge allegiance to the United States of America, to the State of Rhode Island, and to the American public school system.

I solemnly promise to support the Constitution and laws of Nation and State, to acquaint myself with the laws of the State relating to public education, and the regulations and instructions of my official superiors, and faithfully to carry them out.

I further promise to protect the school rights of my pupils, to conserve the democracy of school citizenship, to honor public education as a principle of free government, to respect the profession of education as public service, and to observe its ethical principles and rules of professional conduct.

I pledge myself to neglect no opportunity to teach the children committed to my care loyalty to Nation and State, honor to the Flag, obedience to law and government, respect for public servants entrusted for the time being with the functions of government, faith in government by the people, fealty to the civic principles of freedom, equal rights and human brotherhood, and the duty of every citizen to render service for the common welfare.

I shall endeavor to exemplify in my own life and conduct in and out of school the social virtues of fairness, kindness and service as ideals of good citizenship.

I affirm, in recognition of my official obligation, that, though as a citizen I have the right of personal opinion, as a teacher of the public's children I have no right, either in school hours or in the presence of my pupils out of school hours, to express opinions that conflict with honor to country, loyalty to American ideals, and obedience to and respect for the laws of Nation and State.

In all this I pledge my sacred honor and subscribe to a solemn oath that I will faithfully perform to the best of my ability all the duties of the office of teacher in the public schools.

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ERRATA.

Page 63. "This was the beginning of professional supervision in Providence; it developed in 1839 into the appointment of the first superintendent of schools in America." The foregoing assertion was made after careful consideration of the data which follow:

The order of appointment of superintendents, as commonly given, places Buffalo and Louisville before Providence.

October 7, 1816, the school committee of Providence voted: "Whereas it is thought most advisable by the committee that the public schools in the town for the future (so far as comes within the authority of the school committee) be under the superintending care of reverend clergy interim between the several quarterly visitations; it is therefore voted that the Rev. Mr. Edes be and he is hereby appointed to superintend the public school in the first district, the Rev. etc."

The office of superintendent was created April 9, 1838, in an ordinance of the city council, which provided: "That the school committee be and they are hereby authorized and requested to appoint annually a superintendent of the public schools, who shall perform such duties in relation to the public schools as said committee may from time to time prescribe." Nathan Bishop was elected superintendent on July 23, 1839, and entered upon his duties August 1, 1839.

Louisville appointed Samuel Dickinson as "agent of the board of visitors" in 1838. James F. Clarke, who succeeded Mr. Dickinson, was designated as "superintendent of schools" on October 12, 1839.—O. L. Reid, Superintendent of Schools, Louisville. (Until October 12, 1839, neither Mr. Dickinson nor Mr. Clarke held a more definite school office than did the clergymen appointed in Providence in 1816. There can be no question that Providence holds priority over Louisville.)

The New York Assembly, at the session of 1836-7, authorized Buffalo to employ a school officer exercising some of the functions of supervision. R. W. Haskins, the first incumbent of the office, resigned because he was unable to accomplish anything with the limited authority conferred upon him. N. B. Sprague declined an appointment to succeed Mr. Haskins, for the same reason that Mr. Haskins resigned. Oliver G. Steele was persuaded to accept the office.—Henry P. Emerson, Superintendent, quoting from H. Perry Smith's History of Buffalo, 1884. (It is reasonable to hold that the school officer appointed in Buffalo under the legislation referred to was not a genuine superintendent of schools. Probably he had no more, or little more authority, than the clergymen appointed in Providence in 1816.)

Page 311, line 5. Read "1828" for "1829."

